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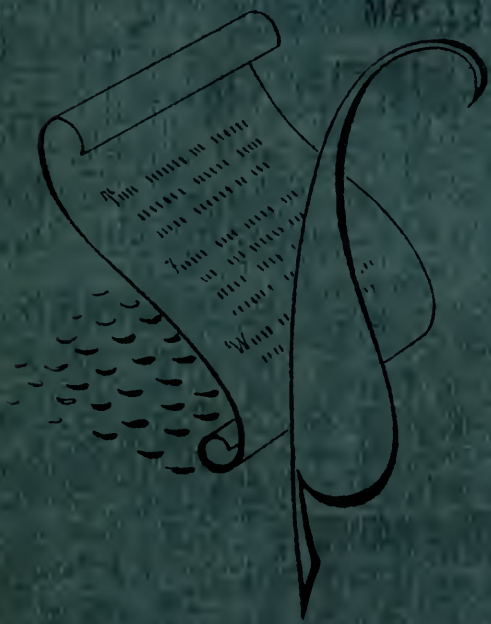
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INVENTORY OF THE COUNTY ARCHIVES OF ILLINOIS

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NO * 9

CASS COUNTY [VIRGINIA]



The Courthouse of Cass County, Virginia, Illinois

INVENTORY OF THE COUNTY ARCHIVES OF ILLINOIS

No. 9. CASS COUNTY (VIRGINIA)

Prepared by

Illinois Historical Records Survey
Division of Community Service Programs
Work Projects Administration

Sponsored by
The Governor of Illinois

* * * * *

Chicago, Illinois
May, 1941

HISTORICAL RECORDS SURVEY PROJECTS

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Thomas R. Hall, State Supervisor

RESEARCH AND RECORDS SECTION

Harvey E. Becknell, National Director
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Howard S. Drew, State Administrator

The Inventory of the County Archives of Illinois is one of a number of guides to historical materials prepared throughout the United States by workers on the Historical Records Survey Projects of the Work Projects Administration. The publication herewith presented, an inventory of the archives of Cass County, is number 9 of the Illinois series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. Up to the present time approximately 1,300 publications have been issued by the Survey throughout the country. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county, and also the needs of lawyers, business men, and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by the Historical Records Survey Projects attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town, and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of the Historical Records Survey Projects, even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their co-operation is gratefully acknowledged.

The Survey was organized by Luther H. Evans, who served as Director until March 1, 1940, when he was succeeded by Sargent B. Child, who had been National Field Supervisor since the inauguration of the Survey. The Survey operates as a nationwide series of locally sponsored projects in the Division of Community Service Programs, of which Mrs. Florence Kerr, Assistant Commissioner, is in charge.

HOWARD O. HUNTER
Commissioner

PREFACE

The undertaking now officially designated the Historical Records Survey Projects was initiated nationally in January 1936, as part of the Federal Writers' Project of the Works Progress Administration, now the Work Projects Administration. In Illinois the Survey became an independent unit in August 1936, but continued to operate as part of the nation-wide project under the technical supervision of Dr. Luther H. Evans, National Director, and under the administrative supervision of the Division of Community Service Programs. Dr. Evans resigned March 1, 1940 and was succeeded by the present director, Sargent B. Child. Alston G. Field, Howard E. Colgan, and Royal S. Van de Woestyne were the first three state directors, serving until November 1, 1937, to May 16, 1939, and to October 1, 1940, respectively. On September 1, 1939 the Illinois State Library, of which Secretary of State Edward J. Hughes is State Librarian and Helene H. Rogers, Assistant State Librarian, became the sponsor of the Illinois Historical Records Survey. On January 15, 1940 this sponsorship was assumed by the University of Illinois. The present sponsor of the Survey is the Honorable Dwight H. Green, Governor of Illinois.

In compiling this inventory of the archives of Cass County, the Survey has sought to locate, describe, and classify all extant county records and to make them more easily accessible to county officials, the general public and research workers. It is believed that this inventory will be useful as a guide to the archives wherein may be found so much important information in the fields of history, sociology, political science, and economics and that it will result in a greater interest in their preservation. While some historians have realized this for many years the general public has never been made aware of the intrinsic worth of this material. In the official documents of Cass County are found the materials of another chapter in the story of the coming into the Illinois wilderness of settlers who created a territory and the rudiments of a simple frontier government, bought and sold land, built roads, established schools and later founded a state.

The Illinois Historical Records Survey has proved to be of considerable assistance to local and county governments. Records have been rearranged and made more accessible, material believed to be lost has been located, indexing projects have been fostered, and county officials have been encouraged and induced to provide new equipment for their offices and better storage space for the records.

In addition, the program of the Survey has been planned to dovetail with the long-range plans of the

State of Illinois for the care of state and local archives. For example, the first step, the removal of all state records to a new Archives Building, has been materially aided by the preparation of preliminary inventories by survey workers for the various state departments. Furthermore, the program of the state for the preservation of county records, including the making of microphotographic copies of all important historical documents, obviously presupposes inventories such as the Illinois Historical Records Survey is now making.

The inventories being compiled by the Historical Records Survey Projects also make possible for the first time a scientific study of the question of record destruction. Under the Illinois law no records may be destroyed without specific enabling legislation. This provision, together with the tremendous increase in the quantity of records in recent years, has made it impossible for either the state or the counties to take care of the documents adequately. Hence a certain amount of record destruction has been inevitable. If, as seems probable, a study of these inventories should lead to the enactment of adequate and intelligent legislation governing the disposition of public records, these compilations may prove to be the most important contribution of the Survey.

Preliminary work on the survey of records in Cass County, the ninth on the alphabetically arranged list of 102 counties in Illinois, was begun September 3, 1936, and finished as far as possible October 5. The inventory field forms were then sent to the state office in Chicago where they were received March 3, 1937. All of these forms were sent back to the county November 29, for a final recheck, and were returned to Chicago, March 14, 1940. Abstracting and transcribing of county board records, upon which much of the contents of this inventory is based, was started October 30, 1939, and finished October 3, 1940. The inventory was taken by Hubert Thomas, Leonard Sronce, James Rae Anderson, Helen R. Keltner, Ivan E. Baxter, Winfred E. Marine, and Ralph A. Cisne. The final recheck was made under the supervision of Kenneth C. Blood.

The inventory was prepared for publication by the state editorial staff of the Illinois Historical Records Survey at Chicago, under the supervision of Herbert R. Rifkind, State Editor. The record entries were prepared by Isadore Markin under the direction of Martine O'Connor; the legal essays were prepared by Romeo Burwell. Seymour J. Pomrenze wrote the historical sketch, preliminary research on which was done by Hubert K. Decker. Under the supervision of Edward J. McDonough, in charge of collation and supplementary units, research data on the housing and care of records were assembled by Fred Komarek and the essay was written by Dominic Krzywonos; Charles J. Cooley compiled the roster of county officers and the bibliography. The inventory was indexed by Leslie Pyle and Daisy Roberts. Maps and charts were drawn by Charles Snyder. Dorothy Herold supervised typing of the manuscript. Credit also must be given to the other members of the editor-

ial, research, and typing staffs for their intelligent and diligent cooperation in the compilation of this inventory. The inventory in final manuscript form was edited in the National office by Guy P. Timboe, assistant editor, and further reviewed by Mabel S. Brodie, editor in charge of public records inventories.

All of the officers of Cass County cooperated in every way with the workers, and grateful acknowledgment of their aid is hereby made. I also wish to express appreciation for the assistance rendered by the officials of the Illinois Work Projects Administration and the Illinois Writers' Project. For the cover design we are indebted to the Illinois Art Project.

The various units of the Inventory of the County Archives of Illinois will be available for distribution to the governmental offices, libraries, schools, and historical societies in Illinois, and libraries and governmental agencies in other states (for list of Illinois publications, see page 290). Requests for information concerning any of these units should be addressed to the State Supervisor.

Thomas R. Hall
State Supervisor
Illinois Historical
Records Survey

May 1, 1941

James M. Barnes
Congressman, 20th District

Martin B. Lohmann
Senator, 30th District

Robert H. Allison
Representative, 30th District

Major T. Flowerree
Representative, 30th District

Ed. Teefey
Representative, 30th
District

CASS COUNTY OFFICIALS

Circuit Judges - - - - - A. Clay Williams, Fred
G. Wolfe, Maurice E. Barnes
County Judge - - - - - Roland B. Rohrer
County Clerk - - - - - George D. Shultz
Circuit Clerk and Recorder - - - Frank W. Finn
Treasurer - - - - - Leo Fitzgerald
Sheriff - - - - - Harry H. Hager
State's Attorney - - - - - C. G. Colburn
Master in Chancery - - - - - Lee Northcutt
Superintendent of Schools - - - - M. M. Cruft
Superintendent of Highways - - - - Cleon V. Dawson
Coroner - - - - - Charles H. Gersmeyer
Surveyor - - - - - A. D. Millard
Superintendent County Home - - - - Edward Oleson
Superintendent Old Age Assistance - - - Marjorie Taylor
Examiner of the Blind - - - - - Dr. A. R. Lyles
Probation Officer - - - - - Jennie Thompson
Farm Bureau Advisor - - - - - Guy Husted
Veterinarian - - - - - Dr. O. E. Blair

BOARD OF SUPERVISORS OF CASS COUNTY

Frank C. Fox, Chairman
(Elected by board April 1941)

George D. Shultz, Clerk

<u>TOWNSHIP</u>	<u>NAME OF SUPERVISOR</u>	<u>TERM EXPIRES</u>
Arenzville	Albert A. Nicol	1943
Ashland	George Jenkins	1943
Beardstown	Wesley Perry	1943
Beardstown	Arnold F. Gramann	1943
Beardstown	William H. De Sollar	1945
Bluff Springs	Gus A. Carls	1945
Chandlerville	E. F. Harbison	1945
Hagener	Russell Nordsiek	1943
Newmanville	Samuel S. Monroe	1943
Panther Creek	George R. Cline	1945
Philadelphia	R. E. Wankel	1945
Sangamon Valley	Thomas L. Barber	1945
Virginia	Frank C. Fox	1945

MEMBERSHIP STANDING COMMITTEES FOR 1941

FINANCE & JUDICIARY

Wm. H. DeSollar, Chairman
George Jenkins
T. L. Barber
A.A. Nicol
E. F. Harbison

COUNTY FARM & HOME

George Cline, Chairman
Wesley Perry
Russell Nordsiek

LOCAL LIQUOR CONTROL

Frank C. Fox, Chairman
George Jenkins
A. F. Gramann

ROAD AND BRIDGE

S. S. Monroe, Chairman
George Cline
R. E. Wankel
E. F. Harbison
Gus A. Carls

PRINTING AND ELECTIONS

E. F. Harbison, Chairman
William H. DeSollar
George Cline

SPECIAL TREE COMMITTEE

Frank C. Fox
T. L. Barber
Gus A. Carls

COURTHOUSE & JAIL

Gus A. Carls, Chairman
Russell Nordsiek
A. F. Gramann
R. E. Wankel
S. S. Monroe

PAUPER & BLIND

T. L. Barber, Chairman
A. A. Nicol
Wesley Perry

LEGISLATIVE COMMITTEE

Frank C. Fox
T. L. Barber
George Cline

COUNTY CLERK

George D. Shultz

STATE'S ATTORNEY

C. G. Colburn

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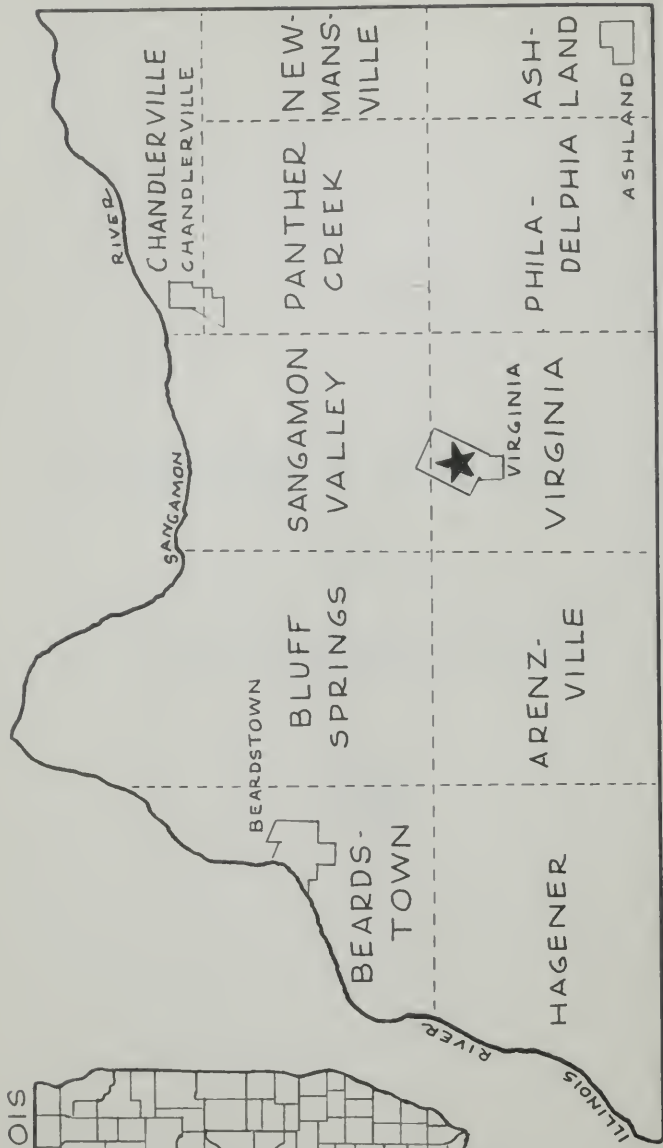
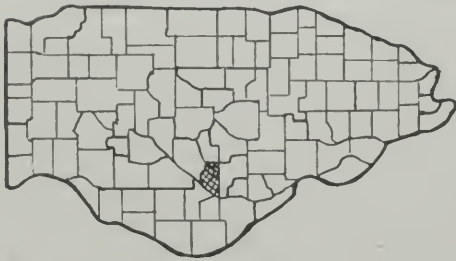
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A. CASS COUNTY
AND
ITS RECORDS SYSTEM



ILLINOIS



TOWNSHIP MAP CASS COUNTY

1. HISTORICAL SKETCH

Introduction

The present area of Cass County was settled between the close of the War of 1812 and the beginning of the Mexican War - a phase of the westward movement in United States History which carried the frontier line to the one-hundredth parallel and beyond. In that interval local governmental institutions were set up in the county, schools and churches established, and agriculture developed. Since the land was rich and yielded of its fruit in abundance, the rural, agricultural way of living entrenched itself very firmly. Although the presence of a large number of immigrants, especially from Germany, added a distinctly European flavor to the social and cultural life in the county, yet the fact that they originated almost exclusively in western and northern Europe and that they arrived in the county during the formative years meant that the inhabitants of the county did not face difficult racial and religious problems. While towns developed early and the railroad entered the region in 1857-1858, the farming economy maintained its hegemony in Cass County up until our own day.

Physical Geography

Cass County is located in the Illinois River basin, occupying an area 31 miles east by west and 17 miles north by south. The 294,400 acres within the approximate 400 square miles of the county are divided into three parts: prairie, wood, and river bottom lands.¹ When the early pioneers first entered the present limits of the county they found the grass on the prairie to be higher, in some places, than a man on horseback.² The woodlands contained trees of various species: oak, hickory, elm, sugar maple, black walnut, and linden were most prominent.³ Although the surface is, in the main, rolling, some bluff elevations exist along the water frontage (45 miles on the Illinois and Sangamon). The land is about 630 feet above sea level.⁴

Geologically considered, the formation of Cass County belongs to the Quaternary Period. Glacial drift and coal measures underlie the surface. While the eastern part of the county is of the Middle Illinois Glaciation, the western part, composed of sand, late swamp, and bottom lands is of the Wisconsin Glaciation.⁵

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1. Charles A. Martin, ed., History of Cass County, p. 617, 619; Illinois Department of Secretary of State, Counties of Illinois, p. 66.
 2. Martin, ed., History of Cass County, p. 618.
 3. William Henry Perrin, ed., History of Cass County, Illinois, p. 53
 4. Martin, ed., History of Cass County, p. 618.
 5. Douglas C. Ridgley, The Geography of Illinois, p. 16-36, 152; Martin, ed., History of Cass County, p. 618.

The significance of these glaciation formations is readily understood when one realizes that the rock materials which entered into the glacial soils furnished the necessary plant food in abundance and left sand, gravel, and clay for building purposes.⁶ The soil is dark loam with a light-colored clay subsoil; and the mean temperature of between 70 and 90 degrees Fahrenheit during the growing season affords an excellent climate for agriculture.⁷ The surface of the county abounds in rivers, lakes, creeks, and sloughs among which are the following: Illinois, Sangamon, and Little Sangamon rivers; Clear, Mound, Treadway, Swan, Meredosia, and Cotton Wood lakes, mainly in the western parts of the county; Indian, Clear, Prairie, Little Indian, Little Panther, Big and Middle creeks; and Wood and Hager sloughs.⁸

Indians and the French

The Mound Builders lived in the area in prehistoric days. The mound located in the Beardstown area region is evidence of their presence in the county.⁹ They are considered by some anthropologists as earlier Indian groups. The Illinois Indians occupied the area for some time; and we know definitely that the Mascouten Indians, believed by some historians to be a subsidiary branch of the Illinois tribes, established a rather large settlement around the later site of Beardstown.¹⁰ These Indians were driven out by the Miami and Iroquois during the great wars between the Algonquins and the Iroquois in the eighteenth century; and the area was then occupied by an invading group, the Kickapoo Indians. They were still around the northwestern portion of the county when one of the earliest settlers, Thomas Beard, arrived in 1819 on the site later to be named after him. Further east, along the Sangamon, in the neighborhood of the present town of Chandlerville the Pottawatomies dwelt until 1825.¹¹

While the Indians occupied the region French explorers and traders moving up and down the Illinois passed by and frequently stopped within the Cass County area. Marquette and Joliet and other explorers no doubt passed along the western boundary; and French traders used the Beardstown site as their head-

6. Ridgley, The Geography of Illinois, p. 34-36.

7. Martin, ed., History of Cass County, p. 618.

8. Perrin, ed., History of Cass County, map following p. VI; Illinois Department of Public Works and Buildings, Division of Highways, Map of Cass County.

9. John Leonard Conger and William E. Hull, eds., History of the Illinois River Valley, I, 18-28. For a photograph of the Beardstown Mound in 1817, see p. 19.

10. Ibid., p. 61.

11. Ibid., p. 30, 39, 42, 43, 55, 56. See also quote from Hiram Beckwith, Illinois and Indiana Indians (n. p.), in Ridgley, The Geography of Illinois p. 30, 31.

quarters in the decades preceding the settlement.¹²

Coming of the Settlers, 1816-1840

Founders of Beardstown, Arenzville, Virginia and Chandlerville

Although the earliest American settler in present-day Cass County was Eli Cox who arrived at Cox's Grove (later Sylvan Grove--in the eastern section of the county) in 1816,¹³ the first important group of settlers established themselves in the northwestern section. Thomas Beard (1795-1849), a native of New York State, arrived in the Beardstown area in 1819 and was soon followed by others. During the first few years the settlers were squatters. In 1827, however, Beard and Enoch C. March another early settler entered the land on which Beardstown was platted. The first sale of land occurred in 1832 -- the year of the Black Hawk War when Beardstown served as a rendezvous for the troops and a depot for supplies.¹⁴

One of the most prominent settlers in Beardstown in the early thirties was Francis A. Arenz (1800-1856), a native of Prussia. He entered the merchandising and real-estate business, and was very active in the early life of Beardstown. For example, in 1833 he began to publish the first newspaper in the county, The Beardstown Chronicle and Illinois Bounty Land Advertiser. In that very same year Arenz purchased some land in the northern section of Morgan County, and in 1839 he settled in the present town of Arenzville. Other settlers and German immigrants soon joined Arenz in his

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12. Conger and Hull, eds., History of the Illinois River Valley, I, 89; Bateman, et al., Historical Encyclopedia of Illinois, I, 84.
 13. Martin, ed., History of Cass County, p. 634 ff.
 14. Among the other settlers in the Beardstown area before 1831 were: John Cettrough (or Chittrough), Timothy Harris, Archibald Job (who later moved to Cox's Grove), Seymour Kellogg, the Lindsleys, the Egglestons, John Baker, Jerry Bowen, the Three Carr brothers, the Reverend Reddick Horn, Amos Hager, Benjamin Horrom, John Knight, Solomon Penny, and the Plasters family. Perrin, ed., History of Cass County, p. 19-22, 115, 116; Bateman, et al., Historical Encyclopedia of Illinois, I, 84. For a very early description of frontier condition in the area, see Mary W. Parkinson, "Travels in Western America in 1837," Journal of American History, III (1909), 511-16.

new settlement.¹⁵

Some persons attracted to Beardstown went eastward, and set up communities within the present limits of Cass County. In the early 1830's, Dr. Henry H. Hall (died in 1847), a native of Ireland and resident in the state of Virginia from 1818 to 1831, passed through Beardstown and decided to establish himself in the central portion of the county. He became one of the largest landowners in the county acquiring 1,475 acres of land and 20 town lots, and by 1837 was instrumental in securing the removal of the county seat from Beardstown to the central portion of the county on the site he called Virginia after his first adopted state.¹⁶

Dr. Charles Chandler also passed through Beardstown on his way to the Sangamon River Valley in the northcentral part of the county. He located himself on the site of Chandlerville in 1832 where he built the first frame house and drug store. The town itself, however, was not laid out until 1848, Abraham Lincoln being one of its surveyors.

Origin of Settlers, Population 1840

Scattered throughout the county were many settlers and their families who preceded in time of arrival, the founders (except Beard) of the above-mentioned settlements. Perrin lists over two hundred persons who entered land in the northwestern area alone before 1831.¹⁷

-
15. Some of the settlers that preceded Arenz, in time of settlement, in the Arenzville area were James Crum, the Mathews, John Malone, the McKears, William McHenry, the Pitners, Charles Robertson, and Charles Wiggins. John Savage settled in the area about 1823. Some of the early German settlers were: the brother of Francis Arenz, J. A. Arenz, John L. Cire, Henry Kircher, Frederick Diekel, Charles Coupor, Dr. George Englebach, and H. Lippert. See Perrin, ed., History of Cass County, p. 23, 143, 149; Bateman et al., Historical Encyclopedia of Illinois, I, 22, 23.
 16. Some of the settlers in the Virginia area by 1832 were: Jesse Allred, Reverend John Biddlecome, Elijah Carver, Joshua Crown, Nathan Compton, James Davis, the Eplers, the Clarks, Thomas Gatton, Richard Graves, Henry Hopkins, Alexander Huffman, the Montgomerys, the Pratts, the Stephensons, and the Yaples. Perrin, ed., History of Cass County, p. 23, 24, 80, 84, 172-74.
 17. Some of the earlier settlers in the eastern part of the county were: William Crow, the Millers, the Nances, the Shorts, Robert Leiper, James McAuley, Amos Ogden, Isham Reavis, the Reverend Levi Springer, Bartlett Conyers, the Wilsons, and Robert Hawthorn. Newmansville was not laid out by M. Newman until 1858. Perrin, ed., History of Cass County, p. 134, 137, 138, 155, 156, 161, 162, 179-81. Bateman, et al., Historical Encyclopedia of Illinois, I, 87; Martin, ed., History of Cass County, p. 634.

Among the pioneers in the county we find the New England, Middle Atlantic, upper southern, and old northwestern and southwestern states represented, as well as at least a half a dozen German states (Prussia, Hanover, Hesse-Darmstadt, Bavaria, Bremen, and Frankfurt-am-Main), England, Scotland, Ireland, and Switzerland.¹⁸ The German and northern pioneers were located; in the main, in the western part of the county (Beardstown and Arenzville vicinity); and the southern and western pioneers in the eastern part (Virginia and Chandlerville vicinity).¹⁹

Population increased slowly during the first decades of settlement, and in 1840 there were only 2,981 persons in the county including 11 persons of color.²⁰

Organization of the County

Enabling Act of 1837

Three years before the census of 1840 was taken, Cass County was organized from Morgan County. The enabling act of March 3, 1837 defined the boundaries of the county and laid down certain specific regulations governing, among other things, the establishment of the county, location of the county seat, division of the school funds between Morgan and Cass counties, and representation in the state legislature. The stipulation regarding the county seat was interesting. In view of the fact that Beardstown was already well established, the law provided that the town pay the county \$10,000 to be applied in the erection of public buildings if it be chosen as the county seat. If the corporation of Beardstown, however, failed to pay the \$10,000 (by a later law of 1837 the town was allowed to pay the amount in three annual payments instead of one payment), "the county commissioners' court (was ordered to) . . . locate the county seat at some other point near the center of said county, where the quantity of land mentioned (15 acres) . . . shall be provided" ²¹

The movement for this division of Morgan County antedated the year when Cass County was erected. The people of the northern part of Morgan County had joined the group in Illinois that favored the selection of Springfield as the state capital rather than Jacksonville, the county seat of Morgan; and Thomas Beard and Archibald Job (of Beardstown and later Sylvan Grove) were delegates to the Rushville Convention (Schuyler County) in 1834. In fact,

18. The old northwestern states were Ohio, Indiana, and Illinois; the old southwestern states, Kentucky and Tennessee. Perrin, ed., History of Cass County, p.116.
19. This generalization is based upon a compilation of the places of origin of those persons mentioned in the sketch as well as of those listed in the biographical sections of Perrin, Bateman, and Martin.
20. U. S. Secretary of the Interior, Ninth Census of the United States, 1870, I, Population, 23.
21. L. 1837, p. 101-3.

Job was appointed one of the locating commissioners after Springfield was chosen by the convention as its selection for the capital. ²²

As provided in the Act of March 3, 1837, elections were held in April and May 1837 to decide whether the division of Morgan County met with the approval of the people of that county and whether the county seat should be located at Beardstown. Although the exact results of these elections are not known, we can infer the following things from the laws regarding Cass County approved July 21, 1837: (1) "A majority of the voters" of Morgan County voted for the creation of Cass County; (2) Beardstown received the highest number of votes for the county seat; and (3) special acts were passed to do away with any doubts that Cass County was created, that Beardstown was established as the county seat, or that Beardstown was an incorporated town. These laws also discussed the procedure regulating the election of county officers, selecting O. M. Long and Thomas Pogue, notaries in Beardstown to be in charge of the election.²³

Election Results and Procedures

The election of August 1, 1837 resulted in the selection of Joshua P. Crow, Amos Bonney, and George F. Miller as the first county commissioners, and John W. Pratt as the first clerk of the county commissioners' court.²⁴ The other first county officials for their respective offices were: John L. Wilbourne, probate justice of the peace; Thomas Wilbourne, county treasurer; Thomas Plasters, Jr., school commissioner; and Lemon Plasters, sheriff.²⁵ The first grand jurors were William H. Nelms, Isaac C. Spence, Jesse Ancrum, William De Haven, James Pounds, William Sewall, David Carr, Isaac Plasters, Robert Taylor, Richard McDonald, Joshua Nance, George Boggs, Stephen Lee, Joseph Robinson, John Nickolls, Berry Freeman, Reddick Horn, Ephraim Moseley, James Bolland, Benjamin Beasley, Caleb Lee, James Davis, and William B. Gaines; and the first petit jurors were Thomas Wilbourne, Elisha Ollcut, Ruben Hager, Joseph Baker, James Carr, James Logan, Lucian T. Bryant, Isham Reavis, Benjamin Sutton, John P. Dick, William McAuley, Marcus Chandler, Archibald Job, William Blair, Ezra Dutch, Jonas McDonald, Amos S. West, Jesse B. Pearce, Joseph Corbey, Alfred Elder, William Schoopman, Henry McKean, Robert B. Gaines, and Mathew McBride.²⁶

For future county elections the county commissioners' court divided the county into six districts and selected the judges and places of election. (See Table I)

22. Perrin, ed., History of Cass County, p. 36, 37.

23. L. 1837, Sp. Sess., p. 48-50, 95, 96.

24. Commissioners' Court, v. 1, p. 1, in Supervisors' Minutes (Record), see entry 3.

25. Ibid., p. 2, 3, 10, 27.

26. Commissioners' Court, v. 1, p. 7, in Supervisors' Minutes (Record), see entry 3. The jurors each received seventy-five cents per day (p. 27).

TABLE I: ELECTION DISTRICTS, 1837²⁷

Districts	Judges	Village or Town	House of
Beardstown	Peter S. Bell William L. Felix Joseph Neiper	Beardstown	Augustus Knapp (one of his buildings)
Virginia	John Scott James Ross J. J. Brown	Virginia	John Deeber (?)
Monroe	A. Huffman Jasper Buck James Arnold	Monroe	(?)
Sugar Grove	Henry Hopkins John Slack John Wilson	Philadelphia	John Slack
Richmond	Robert Leiper Carey Nance John Taylor	Richmond	Eaton Nance
Bowens	John Waggoner Jeremiah Northern William Cole	(?)	David Carr

By 1847 it was no longer necessary to use private homes for election places since towns had developed in the southwestern, southeastern, and northern parts of the county. The election districts were then renamed as follows: Arenzville, Beardstown, Virginia, Lancaster, Richmond, and Sangamon.²⁸ In 1857 Indian Creek had been set off from Arenzville as a new election district.²⁹ The increase in the number of election districts continued with the growth of population: in 1852 to 9 and 1923 to 19.³⁰ The procedure of voting also changed: after

27. Ibid., p. 2,13,36.

28. Commissioners' Court, v. 1, p. 395, in Supervisors' Minutes (Record), see entry 3.

29. County Court Record, v. B, p. 240, in Supervisors' Minutes (Record), see entry 3.

30. The election precincts in 1852 were: Beardstown, Arenzville, Monroe, Houstin, Virginia, Princetown, Chandlerville, Lancaster, and Richmond; in 1923: Arenzville, Ashland no. 1, Ashland no. 2, Bluff Springs, Chandlerville, no. 1, Chandlerville no. 2, East Beardstown, Hickory, Indian Creek, Monroe, Oregon, Philadelphia, Princetown, Richmond, Virginia, West Beardstown no. 1, West Beardstown no. 2, West Beardstown no. 3, and West Beardstown no. 4. County Court Record, v. B, p. 83,84, in Supervisors' Minutes (Record), see entry 3; Miscellaneous Record, v. E, p. 121, see entry 67. See also maps before prefaces in Perrin, ed., History of Cass County, and Martin ed., History of Cass County, for names of election precincts in 1882 and 1915.

a decade of voting by voice the secret ballot was introduced in the county following the law of February 12, 1849.³¹

Change in County Boundary, Name of County

The original boundaries of the county were also changed during the first decade. Some of the settlers living in the three-mile strip in the northern part of Morgan County were eager to join Cass County. The law of February 26, 1845 gave them permission to decide whether they should be attached to Cass or remain in Morgan County.³² At the election of May 5, 1845 the voters decided by a vote of 246 to 78 in favor of having the area attached to Cass County, and the Arenzville and Princeton election precincts were set up accordingly.³³

The area of Cass County was by this action enlarged to its present size. The county was then bounded on the west by Brown and Schuyler; on the north, by Mason; on the east, by Menard and Sangamon; and on the south, by the "mother" county, Morgan. The setting off of Cass County was the fifth subdivision of this section of the state: St. Clair, 1790; Madison, 1812; Sangamon, 1821; Morgan, 1823; and Cass, 1837.³⁴ It is significant to note that the man after whom the people of Cass County named the area, Lewis Cass (1782-1866), was playing a very significant role in western and national politics during this period in American history.³⁵

31. R.S. 1845, p. 214; Const. 1848, Art. VI, sec. 2; L. 1849, p. 71-75 (approved February 12). See also Commissioners' Court, v. 1, p. 532 where it is "Ordered that Philip Gooth be allowed and paid the Sum of Six Dollars for making Eight Ballot boxes. Ordered that L.L. Sanders be allowed and paid the Sum of Three Dollars for Doors, Hinges of Screws for ballot boxes."
32. L. 1845, p. 313-15. A previous act of March 4, 1843 had contemplated the creation of the County of Benton from parts of Morgan and other counties. See L. 1843, p. 105-8.
33. Commissioners' Court, v. 1, p. 288, in Supervisors' Minutes (Record), see entry 3.
34. Illinois Department of Secretary of State, Counties of Illinois, p. 66.
35. Lewis Cass had achieved a significant record of service to the West (brigadier-general during the War of 1812 and civil governor of Michigan, 1813-1831), and Jackson appointed him Secretary of War - a marked compliment from one general to another. Cass also served as Secretary of State under Buchanan. He was one of the two ante-bellum Democratic candidates to be defeated by a Whig, and will be remembered in American constitutional history as one of the "fathers" of the popular sovereignty idea. See Benson John Lossing, et al., Harper's Encyclopedia of United States History from 485 A. D. to 1905, II, 67.

Shifts in County Seat - Beardstown,
1837-1839, Virginia, 1839-1845

Although the county seat was established by the law of July 21, 1837 at Beardstown it did not remain there very long. The corporation of Beardstown failed to pay the \$10,000 which had been stipulated in the law of March 3, 1837, for several reasons: (1) it was difficult to raise \$10,000 in a frontier community even in three years; (2) many of the people in Beardstown did not favor paying the entire cost of the county buildings; and (3) the first county commissioners seemed to favor the location of the seat at Virginia.³⁶ According to a later law the county commissioners secured from Dr. Henry H. Hall, the owner of the site of Virginia, fifteen acres for county purposes.³⁷ County business did not begin at Virginia until 1839.³⁸

A well-organized minority in Beardstown, however, continued the struggle to have the seat returned to their town. They pointed out that, even though Beardstown was not centrally located, it was the largest town in the county and accessible to most of the inhabitants. By the act of March 4, 1843 a special election was held to determine the location of the county seat. Beardstown was chosen by a vote of 453 to 288, and the commissioners' court began its meetings there on March 3, 1845.³⁹

Public Buildings, 1837-1852Beardstown and Virginia

When the county seat was shifted from Beardstown to Virginia and back, new buildings for a county courthouse and a county jail had to be rented or erected. During the first two years, 1837-1839, one of the several houses owned by Augustus Knapp in Beardstown was rented as a courthouse at \$100 per annum.⁴⁰ The first courthouse and jail built by the county were,

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36. In answer to a letter from Thomas Wilbourne, president of the Board of Trustees of Beardstown, requesting an extension of time to make the payment, John W. Pratt, county clerk, answered: "I am directed by the county commissioners court to inform you that they have considered the proposition submitted to them from B. G. Gatton through your board and regret that they do not feel themselves authorized by law to accede to it." See Perrin, ed., History of Cass County, p. 109, 110.
37. L. 1839, p. 287, 288; Perrin, ed., History of Cass County, p. 79.
38. County Court Record, v. B, p. 52, in Supervisors' Minutes (Record), see entry 3.
39. L. 1843, p. 102-4; Perrin, ed., History of Cass County, p. 50; Commissioners' Court, v. 1, p. 440 in Supervisors' Minutes (Record), see entry 3.
40. Ibid., p. 9, 13, 15, 18, 26, 36, 90.

however, located at Virginia. The contractor for public buildings was naturally Dr. Henry H. Hall, the founder of Virginia and owner of most of the real estate. The courthouse cost about \$2,000; the cost of the jail was not mentioned in the records. On September 2, 1839 Hall notified the commissioners that the courthouse and the jail were completed; and the county clerk was instructed to advertise in the press that the offices in the courthouse were ready for occupancy by the officers entitled to them.⁴¹ When the county seat was returned to Beardstown in 1845 the courthouse was leased to the school board district and the old jail and lot were sold back to the son of the donor for \$150.25.⁴²

Beardstown 1845-1852

The Beardstown authorities expressed their satisfaction over the return of the county seat by presenting to the county the lots and buildings upon them necessary for a courthouse and a jail.⁴³ The jail did not fill the needs of the county. Crime cases dealing with counterfeiting, horse thievery, and blackmail were mentioned often in the records during the 40's and 50's.⁴⁴ The county court was forced to use the Schuyler County jail in 1851 to hold some prisoners while the new jail, which it had decided to build, was in the process of construction. Thomas J. Burns, the contractor, finished his task December 7, 1852 and was paid the last installment of the total sum--\$2,751.86.⁴⁵ The administration of prison affairs changed as the number of prisoners increased and a regular jailer was appointed for the new jail - the old practice of hiring out prisoners, disappearing.⁴⁶

Other Administrative Duties of the Commissioners' Court, 1837-1849

In addition to dealing with the problems connected with the establishment of the county seat and the

41. Ibid., p. 50, 53, 57, 64. On June 5, 1838 Dr. Hall was allowed \$49.50 for locks, iron grates, and bolts for the jail. The cost of the courthouse is given in Perrin, ed., History of Cass County, p. 95.
42. County Court Record, v. B, p. 83, in Supervisors' Minutes (Record), see entry 3.
43. Commissioners' Court, v. 1, p. 274, in Supervisors' Minutes (Record), see entry 3; Deed Record, v. B, p. 22, see entry 76.
44. The Case of George Davis, found guilty of counterfeiting, was quite sensational. Cass County Circuit Court Record, v. B, p. 359, see entry 163; Mason County Circuit Court Record, v. A, p. 378. See also County Court Record, v. B, p. 25, 169, in Supervisors' Minutes (Record), see entry 3.
45. Ibid., p. 18, 26, 28, 64, 67, 82, 108, 130, 143, 149.
46. For examples of early methods of jail administration, see Commissioners' Court, v. 1, p. 27, 28, 60. In 1875 a residence for the jailer was built in Virginia (County Court Record, v. D, p. 383, 384).

erection of public buildings, the commissioners' court was charged also with the care of roads and bridges, the county poor, and county finances. These duties were not too onerous in spite of the fact that the scope of control exercised by the court was greater during the formative years than at any later period. Once the machinery to deal with local transportation, public welfare, and finance was set up, the subsequent developments were largely influenced by the growth of the population in the county.

Roads and Bridges

Next to the acquisition of cheap land, the subject most dear to the heart of the average frontier farmer was the building of roads, bridges and other means of transportation that would allow him to bring his produce to market. The state law concerning public roads of 1827 vested with the commissioners the general superintendency over the public roads within the county. The commissioners were authorized to lay out the county into road districts and to appoint road supervisors. They also were given the power to order all able-bodied males between 18 and 50 to perform road work or pay 75 cents a day for an 8-hour day, 5 days a year or less. Whenever the commissioners received a petition from at least 35 voters on the subject of opening a new road or closing a useless road, they were authorized to appoint viewers, hear their report, and accept or reject the views expressed. ⁴⁷

In accordance with the provisions of this and subsequent road laws the county officials in Cass proceeded to deal with the problems of transportation in the county. In the very early meeting of the commissioners' court the county was divided into eleven road districts. The respective supervisors were Lawrence Clark, Thomas Wiggins, Francis Arenz, Henry Hopkins, William Lynn, James Hickey, Jeremiah Bowen, James Carr, William W. Babb, William Moore, and Madison Beadles. ⁴⁸ As the population waxed, the number of road districts increased to 16 in 1840 and 21 in 1857. ⁴⁹ One of the earliest roads viewed in the county, by Thomas Boyd, J. R. Bennett, and Julius Elmore, was the road leading from Peter Cartwright's place in Sangamon County to the town of Virginia. ⁵⁰ Other roads constructed during the period from 1837 to 1840 were those leading from A. Job's place to Babb's West Bridge at the Bluffs, Beardstown to Petersburg, Beardstown to Amos Hager's place, the Illinois River nearly opposite Sugar Creek intersecting the Beardstown-Hager Road, Henry McHenry's place to

47. R. L. 1827, p. 340-46. For examples of provisions made for road work in the county, see Commissioners' Court, v. 1, p. 6, 20, 47, 158, 159, 240, 242, in Supervisors' Minutes (Record), see entry 3.

48. Ibid., p. 3-6.

49. Ibid., p. 82-89; County Court Record, v. B, p. 329.

50. Commissioners' Court, v. 1, p. 7.

the Huron Road, along the bluffs to the Jacksonville Road, J. P. Crow's place to the foot of the bluffs, the Princeton Road to the Lexington and Matanzas State Road, Beardstown to Manchester, and Lexington to Matanzas.⁵¹

The county made at least two attempts to secure funds from the state government for road purposes. In 1838 the county made an attempt to collect its proportionate share of the funds appropriated by law to those counties "through which no railroad or canal is provided to be made at the expense or cost of the state of Illinois" ⁵² Since the depression of 1837 had "knocked the bottom" out of the rather chimerical internal improvements program, it seems that the county did not collect its share. ⁵³

The second effort to secure extra-county aid for roads proved more successful. Under the Swamp Act of 1850 Congress gave the "swamp and overflowed" lands to the states in which they were located. Illinois in turn presented these lands to the respective counties for the purpose of constructing the necessary levees and drains to reclaim the lands, and for "the purpose of education, roads, and bridges, or to such other purposes as the courts or county judge may deem it expedient." ⁵⁴ In accordance with this act C. Van Ulich was appointed drainage commissioner; and the county hired legal advisers to make claim for its proper share of land. ⁵⁵ The monies that were received, plus \$2,000 from private subscription, were allocated as follows: (1) \$300 was appropriated for the road from Beardstown to Petersburg; (2) three fifths of the rest of the money went to the road from Beardstown to Virginia; and (3) the remainder was given for the road from Beardstown to Arenzville. The reasons given for allocating the funds in the above manner, to appease the eastern sections of the county, were: that it would benefit a majority of the people of the county; that the Federal and state governments had contemplated that the proceeds should go for the drainage of that part of the county in which lands were situated (and most of the land was located in the western part); and that the eastern part of the county had benefitted to the amount of \$50,000 subscribed to a projected railroad in that area.⁵⁶

Besides roads as an agency of transportation there were other methods which facilitated trade, commerce,

51. Ibid., p. 72-78.

52. L. 1837, p. 135.

53. Ibid., p. 121-51. William Thomas of Jacksonville, Morgan County, was appointed the collecting agent for the county. Commissioners' Court, v. 1, p. 21, 35, in Supervisors' Minutes (Record), see entry 3.

54. L. 1852, Second Sess., p. 178. See also p. 179-86.

55. County Court Record, v. B, p. 142, in Supervisors' Minutes (Record), see entry 3.

56. Ibid., p. 595. 646; Ibid., v. C, p. 47.

and social intercourse. Beardstown on the Illinois served as a connecting point with St. Louis and all intermediary points via steamboat.⁵⁷ Bridges and ferries across the Illinois, Sangamon, and other rivers and creeks were provided for very early in the history of the county.⁵⁸ In fact, the first ferry anywhere along the Illinois River was licensed by Thomas Beard at Beardstown in 1826, and served the surrounding country until 1888 when a wooden toll bridge replaced it.⁵⁹ An attempt was even made in the early 40's to build a Beardstown and Sangamon Canal,⁶⁰ but the idea was given up when it was realized that the Sangamon River was not suitable for steamboat transportation. With the coming of the railroad in the 1850's, the relative economic importance of other means of transportation decreased, and the program of internal improvements, centered mainly around roads and railroads.

Public Welfare

The care of the needy in the earlier period of the county history, much in the same manner as the problem of internal improvements, was vested in the hands of the local authorities. The poor law of 1833 provided that the justices of the peace, together with a person appointed by the county commissioners, shall act as the overseers of the poor. Their duty was "diligently to inquire after all such persons . . . unable to earn a livelihood in consequence of any bodily infirmity, idiocy, lunacy, or other unavoidable cause and to provide for them the necessary comforts of life, by confiding the care of such poor person or persons to some moral and discreet householder or householders in the district, of sufficient ability to provide for them."⁶¹ The law also authorized the commissioners' court to establish a poorhouse -- in which case the powers of the overseers of the poor were to be curtailed.⁶²

During the first years, and, in isolated cases, after the purchase of a poor farm, each pauper was given individual consideration by the commissioners. Some of

57. Shipping rates from St. Louis to Beardstown in 1839 were 37½ cents per hundred pounds of freight. See Conger, History of the Illinois River Valley, I, 167, 168.
58. Commissioners' Court, v. 1, p. 14, 48, 123; County Court Record, v. B, p. 64, in Supervisors' Minutes (Record), see entry 3; Priv. L. 1865, II, 267-69; Priv. L. 1869, II, 354, 355.
59. The history of the Beardstown ferry is very interesting since it is intimately connected with the growth of Beardstown. See Commissioners' Court, v. 1, p. 9; County Court Record, v. C, p. 211; Perrin ed., History of Cass County, p. 20; Martin, ed., History of Cass County, p. 781; Priv. L. 1865, I, 536.
60. L. 1839, p. 196; L. 1841, p. 48.
61. R. L. 1833, p. 480, as amended in L. 1839, p. 138.
62. Ibid., p. 138-40.

the cases dealt with were: (1) Francis Ashbury Hardy was assigned to his brother James W. Hardy and the county paid \$8 a month for his board and keep; (2) John Miller, a lunatic, was confined to the county jail, but when the commissioners found out that he had relatives and property in Pennsylvania he was shipped there by the county; (3) Frederick Witte was allowed \$25 for keeping his son who was insane; (4) William S. Clemons was paid \$6 for digging four graves for a Mr. Steward and wife, an Irishman, and Murgus, a poor person; (5) physicians in the county were hired for lump annual sums ranging from \$40 to \$75 to take care of the health of the poor; and (6) -- and unusual case to be sure -- "William Blair (was) allowed \$85 to build a small frame as a substitute for a hospital for keeping a deranged woman in Sugar Grove district. . . ."63

By 1846 the number of needy persons had increased sufficiently to warrant the purchase of a poor farm. The farm of Reddick Horn, 130 acres located near the present station of Bluff Springs, was bought by the county for \$1,500. An addition to the poor farm was made in 1852 when a piece of land was bought from James Buck for \$1,050. The total area of the poor farm numbered 194 acres. 64

Periodically the poor farm was rented out to the person who was the successful bidder. This individual would pay the county rent for being allowed to till the farm land and would be paid for taking charge of the poor on the farm. The statement of James Buck, lessee for 1850, showed that he was charged \$141 rent and was owed a similar amount by the county. The same general practice continued for many years.65

County Finances

The brevity and simplicity of the early assessment reports to the commissioners' court reveal in a telling way the frontier conditions existing in the county. On September 8, 1837 "the court ordered the following kinds of property to be taxed at the rate of one-half percent. Town lots, indentured or registered negroes, or mulatto servants, pleasure carriages, Stock in Trade on all horses, mares, mules, asses and all neat cattle over

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63. Commissioners' Court, v. 1, p. 38, 357; County Court Record, v. B, p. 26, 35, 69, 634, 656, in Supervisors' Minutes (Record), see entry 3. The building of the frame house by Blair is described in Commissioners' Court, v. 1, p. 108; County Court Record, v. B, p. 281, 321, and v. D, p. 236.
 64. Commissioners' Court, v. 1, p. 347, 353; Deed Record, v. B, p. 530 and v. F, p. 189, see entry 76; County Court Record, v. B, p. 113.
 65. Commissioners' Court, v. 1, p. 540; County Court Record, v. B, p. 31, 142, 225, 281, 656 and v. C, p. 92, in Supervisors' Minutes (Record), see entry 3. See also Martin, ed., History of Cass County, p. 672, 673.

and under three years old. Hogs, sheep, wagons and carts."66 The statement in 1838 showed that the tax upon personal property was \$576.34, and the tax on land was \$356.01. Licenses and fees paid to the commissioners amounted to \$148.67 The tax on land was levied on the basis of the list or transcripts of all land subject to taxation procured by William Babb from the clerk's office at Jacksonville.68 In 1840 the court ordered that the county be divided into three assessor's districts, but this division was abolished the very next year.69 During the ante-bellum period the sums of receipts and expenditures total only a few thousand dollars for the county, and the tax rate averaged between 30 cents and \$1.00 on \$100. 70

In newly organized communities dishonest officials were common enough not to cause too great a furor. In Cass County the case of Lemon Plasters, collector and sheriff during the years 1837 to 1840, was especially interesting since he and his securities were released from liability by a special act of the legislature, approved March 3, 1845, on the plea that Plasters was insolvent and the securities unable to pay his defaulting bill of \$1,819.15 excluding cost. 71 Sometimes an official, usually the treasurer, was unable to make his report on time because the delinquencies in payment of taxes were many. 72 The difficulty in arriving at final tax settlements also caused the financial statements of the county to be incomplete.73

Early Economic Development

Economic and social institutions, like political forms and ideas, were transplanted by the settlers and immigrants from their old homes and introduced in their new ones. As population quadrupled in Cass County during the first two decades of its existence and agriculture and business began to flourish, schools and churches were built and newspapers appeared throughout the region. By 1860 orderly society was firmly established in Cass County.

Growth of Population, 1840-1860

The largest increase in population in the entire

66. Commissioners' Court, v. 1, p. 8.

67. Ibid., p. 51.

68. Ibid., p. 9.

69. Ibid., p. 41, 90.

70. Ibid., p. 98; County Court Record, v. B, p. 18, 53, 654; ibid., v. C, p. 3.

71. L. 1841, p. 305; L. 1845, p. 127, 128, 343. Case of John Crain, 1849. Commissioners' Court, v. 1, p. 511.

72. Case of Joseph McLane. County Court Record, v. B, p. 30.

73. Case of Phineas Underwood. County Court Record, v. B, p. 529.

history of Cass took place in this early period. From a total of 2,981 persons in 1840 the population figures jumped to 7,253 in 1850 and 11,313 in 1860. The colored population was very negligible during the whole period--there being but 5 Negroes in the county in 1850 and 12 in 1860. The foreign-born, however, were considerable by 1860. There were 2,454 persons in the county born outside the United States the year before the Civil War broke out, and these came largely from Germany, Ireland, Great Britain, and the Scandinavian countries.⁷⁴

Agricultural Development

The inhabitants of Cass County in the ante-bellum period were engaged mainly in agriculture and business. Very little of the area of the county was not suited for agriculture and two fifths of the rich prairie could produce maximum crop yields.⁷⁵ A chemical analysis of the soil was made in 1840 by Justus Liebig and a Mr. Bausingault; and later analysis showed that over 50 per cent of the soil belonged in soil grades no. 1 to no. 5 (no. 1 being the most productive soil grade, considering only the major crops grown in the county and no. 10 submarginal land). The chief crops grown were corn, wheat, oats, rye, barley, buckwheat, potatoes, Irish and sweet, as well as a great variety of vegetables.⁷⁶

The pioneers also tried their hands at raising cotton and establishing an extensive pork and beef center in the county. The cotton experiment failed after the great snow of 1831; ⁷⁷ but the other effort proved to be successful. Before the era of extensive railroad building many Cincinnati (also called "Porkopolis") packing firms had branches in Beardstown, and the cattle-raising farmers in the vicinity brought their animals into the town to be slaughtered. Already in the 1830's one farmer had 700 head of cattle, and John Prunty, as late as 1874, had a thousand-acre farm devoted almost wholly to livestock. Some farmers were engaged in raising pure-bred cattle of various kinds and even racing horses.⁷⁸

Early in the 1850's many farmers, and business people closely allied to farming, joined the Illinois State Agricultural Society under the leadership of Francis A. Arenz. In 1856 the Cass County Agricultural

74. U. S. Secretary of the Interior, Eighth Census of the United States, 1860, Population, p. 79; ibid., Ninth Census of the United States, 1870, I, Population, 23, 351.
75. University of Illinois, Information Pertaining to Farm, Home and Community, p. 9, (Hereinafter cited as Farm, Home and Community.)
76. Farm, Home and Community, p. 9. See also Martin ed., History of Cass County, p. 730-34.
77. Perrin, ed., History of Cass County, p. 26.
78. Martin ed., History of Cass County, p. 730-34.

Society was organized with Arenz as its first president.⁷⁹ The Society bought ten acres of land from Robert Hall in 1857 and formed the Cass County Fair Grounds Organization to serve the agricultural and social interests of the farmer and his family.⁸⁰

By 1860 the value of the farms in the county was \$4,260,382, and the number of acres improved and unimproved were 104,041 and 92,224 respectively. The implements and machinery used on the farms were worth \$139,213; the livestock in the county was valued at \$649,730; and the animals slaughtered at \$264,030.⁸¹

Business Activities

The early businesses in the county were largely dependent upon the agricultural needs of the inhabitants. Mills to grind corn and cut timber were established throughout the county in the 20's and 30's. Some of these mills were: Horace Billing's mill set up in the 1820's; Richard Sheppard's mill on Indian Creek (1821); John Thompson's mill (1830) in the Virginia vicinity; A. S. West's and William Morgan's mill on Panther Creek (1838); Richard McDonald's mill and Henry L. Ingall's mill also on Panther Creek; the horse mill around Arenzville in 1830; and James Watkin's small water mill in the northeast portion of the county. Horace Billing's mill proved to be a failure, and those on Panther Creek engaged in sawing timber were all carried down the stream in floods. N. B. Burns built the first steam mill in Virginia but it was burnt in 1852 or 1853. The firm of Armstrong and Beasley was, however, successful in setting up a steam mill in 1862, and in running it until 1871 when it was sold to M. Cooper.⁸²

Blacksmith shops, general merchandise stores, and taverns were also opened very early in the county's history. Smithies were at work in the Beardstown and Virginia vicinities in the 20's; Matthew Holland set up his shop in the northeast in 1835, and Dr. Chandler provided a blacksmith for the convenience of his locality in the same year.⁸³ Merchandise licenses were granted to J. L. Wilbourne at Beardstown, Leonard Wilkey, and H. C. Meyers in the late 1830's.⁸⁴ The first tavern license granted by the commissioners' court was to

79. Bateman, et al., Historical Encyclopedia of Illinois, I, 22, 23.

80. Priv. L. 1857, p. 1181, 1182; Perrin, ed., History of Cass County, p. 67, 70, 71.

81. U. S. Secretary of the Interior, Agriculture of the United States in 1860, p. 30, 31, 33.

82. Perrin, ed., History of Cass County, p. 83, 84, 122, 123, 125, 127; Conger and Hull, eds., History of the Illinois River Valley, I, 471.

83. Perrin, ed., History of Cass County, p. 22-24.

84. Commissioners' Court, v. 1, p. 6, 475, in Supervisors' Minutes (Record), see entry 3; Perrin, ed., History of Cass County, p. 138, 139.

George H. Nolte of Beardstown; others followed.⁸⁵ The general order concerning the regulation of taverns by the commissioners in 1839 provided the following maximum charges for the various services rendered by them: each meal of victuals, 37½ cents; each night's lodging, 25 cents; feed for a horse, 25 cents; keeping a horse per night, 50 cents; half a pint of whiskey, 12½ cents; half a pint of brandy, 25 cents; half a pint of gin, 25 cents; half a pint of rum and cordials, 25 cents; and a half a pint of rum, 25 cents.⁸⁶ Some years later the court attempted to discourage the sale of liquor by ordering that "hereafter no license or permit to keep a grocery for retailing ardent spirits be issued for less than \$200 per annum."⁸⁷

Among the businessmen and artisans in Beardstown in 1834 were Francis Arenz, L. W. Talmage and Co., T. and J. L. Wilbourne, J. M. Marchant and Co., Haywood Read, and J. Parratt and Co., general merchants; John Allred, M. Kingsbury, and Liscomb and Buckle, tailors; J. Roulston, hatmaker; Henry Boemler, cabinet-maker; M. McCreary, cooper; and Maloney and Smith, forwarding and commission business.⁸⁸ An important tannery yard, established by the father of James Cunningham, was located in Beardstown.⁸⁹

A traveler through the town in 1848 described Beardstown as an enterprising trading center. He wrote: "In the spring of 1848 I spent a week or two in Beardstown. This was an ambitious place - had a brick tavern and a landing, and was the entrepot and the outlet of nearly all the saleable products of a large part of the State. A traveler between Springfield and Beardstown would rarely be out of sight of heavily loaded wagons carrying out the productions or bringing in the merchants' goods."⁹⁰

By 1860 there were 7 manufacturing establishments in the county whose plant and equipment were valued at \$41,756, hiring an average of 71 employees a year and paying \$23,928 in wages.⁹¹ They produced carriages, flour and meal, furniture, iron castings, saddlery and harness, tin copper and sheet metal and ironware.⁹² The value of the products was \$ 83,840.⁹³

85. Commissioners' Court, v. 1, p. 7.

86. Ibid., p. 44.

87. County Court Record, v. B, p. 255, in Supervisors' Minutes (Record), see entry 3.

88. Perrin, ed., History of Cass County, p. 31.

89. Conger and Hull, eds., History of the Illinois River Valley, I, 468, 471.

90. A. W. French, "Early Reminiscences," Illinois State Historical Society, Transactions, 1901, p. 61.

91. U. S. Secretary of the Interior, Eighth Census of the United States, 1860, III, Manufactures, 84.

92. Ibid.

93. Ibid.

Early Social Institutions

Educational Progress, 1827-1867

The establishment of schools and churches followed soon after the clearance of the first farms and the growth of the early businesses. The frontier schools were usually constructed by the citizens of the locality who were anxious that their children should be taught how to read, write, and cipher. M. L. Lindsley erected a log-cabin school, near the river bluffs about five miles west of Beardstown as early as 1827. A few years later, Messrs. Beard and Arenz built a log cabin in Beardstown and donated it to the inhabitants of the thriving community for school purposes. Amos Ogden did the same for his neighborhood in the north-eastern part of the county. ⁹⁴

Some of the early teachers in these log-cabin schoolhouses scattered throughout the county were William Holmes, Mrs. Henry Ingalls, Moses Hurlinson, Thomas S. Berry, and B. F. Nelson. Berry, it was reputed, had made a 900-mile journey on horseback from the State of Virginia to Virginia, Cass County, in 1829 carrying all his belongings in a saddle bag. Of Nelson one author says that he was "a man of prepossessing appearance, scholarly and gentlemanly in his manners, but entirely without energy and industry." ⁹⁵

The first school commissioner was a member of the politically active Plasters family, Thomas, Jr. He was appointed in 1837 and held office until 1841. His successor was Richard S. Thomas who was elected in 1841 and served until 1849. Besides serving as school commissioner Thomas was interested in railroads and became the president of the Illinois River Railroad in 1857. Other school commissioners before the Civil War were John B. Shaw, Ebenezer Leonard, and Isaac W. Overall. ⁹⁶

Several important events happened in the latter 1840's which served to promote educational activities. In 1845 Richard S. Thomas was instructed to apportion and distribute the school funds to all the school districts or townships making a proper return of the children under twenty years, in the areas, ⁹⁷ and in the same year the courthouse at Virginia was given to the school trustees of township 17, north, range 10, west, for a period of ten years (at a sum of \$1 per

94. Bateman, et al., Historical Encyclopedia of Illinois, I, 84; Perrin, ed., History of Cass County, p. 31, 77, 112, 146, 148; Conger and Hull, eds., History of the Illinois River Valley, I, 290, 291.

95. Ibid., p. 291.

96. Commissioners' Court, v. 1, p. 6, 146; County Court Record, v. B, p. 254, 262, 281, in Supervisors' Minutes (Record), see entry 3.

97. L. 1844, p. 185.

year) to be used for school purposes. ⁹⁸ Two years later, under the leadership of Henry E. Dummer, the Beardstown Library Association was incorporated to provide library facilities for its members. The trustees of the Association were Virginus A. Turpin, Thomas R. Sanders, James McClure, George H. Nolte, and Henry E. Dummer. The association was allowed to use the room formerly occupied by the clerk of the circuit court for library purposes. ⁹⁹

A very significant educational event was the incorporation of the Virginia Seminary of the Cumberland Presbyterian Church in 1852. The original incorporators of the Seminary were John M. Berry, Abraham H. Goodpasture, Nathan H. Downing, Elihu Bone, Richard S. Thomas, Mahlon H. L. Schooley, John B. Thompson, Harvey O'Neal and Gilbert Dodds. The objects of the institution were to serve as a seminary of learning for the advancement of religion, science, and the cause of education generally. ¹⁰⁰ It was located near Virginia and seems to have disappeared in the 1870's. Its name was changed in 1857 to the Union College of the Cumberland Presbyterian Church, but the old name was assumed again in 1869. ¹⁰¹ There is also a law dealing with the establishment of the Virginia Female Seminary in 1857, but no mention of it has been found in the records of the county court or in secondary sources available. ¹⁰²

Although various state laws had been passed dealing with a system of public instruction the first comprehensive act was the school law of 1855. Embodying the principal suggestions of the memorial presented to the state legislature in 1844 by J. S. Wright of Cook County, H. W. Wead of Fulton, and D. J. Pinkney of Ogle, the law provided for a state superintendent of schools; for a system of county superintendents of schools; and for local taxation sufficient to keep open a free school in every district at least three months a year. ¹⁰³ By 1867 there were 65 public schools in Cass

98. Commissioners' Court, v. 1, p. 308.

99. The name of Henry E. Dummer appears quite frequently in the records. He often rendered legal advice to the county and played an important role in the cultural development of the county. He rode the circuit with such famous lawyers as Abraham Lincoln, Orville Hickman Browning, William Brown, and Henry J. Shaw. Commissioners' Court, v. 1, p. 398, 399, in Supervisors' Minutes (Record), see entry 3. Almost a half a century later the Women's Club of Beardstown secured \$10,000 from the Carnegie Fund and built the Beardstown Public Library (1902). See Edward F. Dunne, ed., Illinois the Heart of the Nation, V, 200, 201.

100. L. 1852, p. 25-27.

101. Priv. L. 1857, p. 1072, 1073; Priv. L. 1869, I, 49-52.

102. Priv. L. 1857, p. 843-45.

103. Samuel Willard, "Brief History of Early Education in Illinois," in Illinois Department of Public Instruction, Biennial Report, 1882-1884, p. cxvii.

County in 66 school districts serving 3,306 pupils out of a possible school population of 4,188 (including children between the ages of 6 to 21) having 103 teachers. Two private schools with 70 pupils also existed in the county. The total expenditures for the year ending June, 1867 were \$31,303, and the district tax levy for the year was \$22,506.¹⁰⁴

Churches

Religious organizations were established in the county area almost as soon as the settlers arrived, although church buildings like school buildings were not erected until after the inhabitants had established themselves. Among the earliest denominations in the county were the Methodists. The Reverend Levi Springer came to Illinois in the fall of 1823 from Indiana, and settled near the town of Virginia. He and his wife had traveled on horseback and spent their first two nights sleeping in the open prairie with only blankets for protection and the wolves howling in the neighborhood.¹⁰⁵ No church organization seems to have been effected in Virginia, however, until about 1836. In that year an old horse barn was secured and services held therein. The Reverend Springer was a member of this group; but the pastoral duties were performed by the Reverend Enoch Faulkner.¹⁰⁶

In Beardstown the Reverend Reddick Horn, also a Methodist preacher, began to conduct services in the log-cabin used as a schoolhouse in 1832.¹⁰⁷ An amusing incident, illustrating the close tie between religion and politics, is told of the Reverend Horn. One time, during a service in the courthouse in 1838, the Reverend Horn, a Whig, ascended the rostrum to preach. Mr. N. B. Thompson a Democrat, arose, put on his hat, and left the hall. Before Thompson could reach the door the Reverend Horn, in a loud and firm voice, recited the following verse of scripture: "The wicked flee when no man pursueth!"¹⁰⁸ This group built their first church in 1848 at the corner of Fifth and State Streets.¹⁰⁹

The Presbyterians were organized at the home of Dr. Charles Chandler by the Reverends Hale and Theron Baldwin in October, 1836. The services were held there until 1841 -- both Professor J. B. Turner and the Reverend Thomas Lippincott preaching before the group occasionally.¹¹⁰ In 1847, however, the group turned into a Congregational church.¹¹¹ The same incident

104. Illinois Department of Public Instruction, Seventh Biennial Report, 1867-1868, p. 476, 480, 484.

105. James Leaton, History of Methodism in Illinois from 1783 to 1832, p. 394.

106. Ferrin, ed., History of Cass County, p. 97-102.

107. Martin, ed., History of Cass County, p. 746-57.

108. Ibid.

109. Ibid.

110. Ibid., p. 750.

111. Ibid.

occurred in Beardstown when the Presbyterian church, formed in 1845, became Congregational in 1850.¹¹²

The Reverend Samuel Brockman served the Disciples of Christ church organized at Princeton (later moved to Philadelphia a village southeast of Virginia) in 1837. ¹¹³ Princeton was then a thriving town of about 200 inhabitants but it rapidly disappeared after 1860 when the Illinois River Railroad missed the town.¹¹⁴ The Virginia Christian Church was organized two years later (in 1839) by the Reverend William H. Brown.¹¹⁵

According to the records dealing with the admittance of new churches into the Baptist Association, the Sangamon Bottom Church was organized in 1838. ¹¹⁶ The quotation, dated October 3 and 4, 1838 reads: " The Sangamon Bottom Church, consisting of seven members (and) located in Cass County . . . (was) received into the Association, the hand of fellowship being given to their delegates by the moderator." ¹¹⁷ This church ceased to exist in 1864. ¹¹⁸ The second Baptist church in the county was organized at Virginia in 1841 but it lasted only four years. ¹¹⁹ Two other churches, one at Virginia and one at Beardstown, did not survive the beginning of the Civil War. ¹²⁰

Among the early Baptist preachers in the county were the Reverends Cyrus Wright and William Crow. Although they visited both Beardstown and Virginia during 1827, they did not organize any churches in the county.¹²¹

A Cumberland Presbyterian church was organized in Arenzville in 1854. This church paid off its debt on the church building in 1870, and, for a time, prospered; but gradually it disappeared. ¹²² The Shiloh Cumberland Presbyterian Church, 3½ miles west of Virginia, was organized in 1857 and continued its existence after the Civil War.¹²³ The Reverend John Dale organized a Presbyterian church at Virginia and erected a building for services in 1857, serving as its pastor until 1862 when he entered the army as a chaplain. ¹²⁴ G. W.

112. Martin, ed., History of Cass County, p. 750.

113. Nathaniel S. Haynes, History of the Disciples of Christ in Illinois 1819-1914, p. 127,128.

114. Ibid.

115. Ibid.

116. Edwin S. Walker, History of Springfield Baptist Association, p. 17.

117. Ibid.

118. Ibid., p. 107.

119. Edwin S. Walker, History of Springfield Baptist Association, p.107

120. Ibid.

121. Martin, ed., History of Cass County, p. 751.

122. Ibid., p. 752.

123. Ibid.

124. Ibid., p. 752,753.

Goodspeed, M. D., petitioned the Presbytery for a formal organization of this church; and it was duly formed as the Presbyterian Church of Virginia on July 4, 1863 -- he and David Downing being elected and installed as elders. 125

The parent denominations of these early frontier churches aided their offspring with money and preachers. The religious conquest of the frontier was prosecuted with great zeal in the Illinois area by the representatives of the frontier-minded denominations. The Methodists especially were very successful in establishing themselves as the largest group in the county. An interesting tale is told by Dr. French regarding one of the churches in Cass erected from funds supplied by eastern religious groups. He wrote:

On my way across Cass County I saw a little place with a rather pretentious name, one of the numerous churches which had little hope of ever being completed. In my eastern home I had often heard from the pulpit appeals for aid for western, particularly Illinois churches and there was a pretty steady flow of contributions for that purpose and here was one of the products. The building had got itself inclosed, but if the door or windows had been used they were now gone, and a flock of real sheep sought within a shade from the summer sun. A purer congregation is not conceivable, for not a goat was there. 126

The early church-goers did not always distinguish very clearly between the religious services offered by the various denominations. Many were interested in going to church for religious and social reasons: the type of service did not bother them very much as long as it was offered by the prevalent American Protestant denominations. A very keen observation of this important fact was noted by Dr. French during his week's stay in Beardstown in 1848. He said:

Several religious societies existed in the town of Beardstown and as many efforts had been made to erect places of worship but none of them had been brought sufficiently near completion to be used. So by common consent each church in turn used the courthouse as a place of worship. The Episcopalians would meet in the morning, have their spontaneous singing, responses, united oral prayer, while sitting, responsive reading, etc. In the afternoon, the Presbyterians would assemble, sing the formal hymns first, then read to them, rise for prayer, and sit during the singing and enjoy a formal and well studied sermon all with marked due solemnity. In the evening the Methodists took their turn in the use of the public building, kneeled during prayers, stood in singing and as was their custom in those days re-

125. Ibid.

126. French, "Early Reminiscences," Illinois State Historical Society, Transactions, 1901, p. 61.

lieved any dullness which an observer might feel by individually injecting into the ceremonies a little ejaculatory agreement with sentiments uttered, etc.

Now the queerest part of all this is, that with a half a dozen exceptions in a full house, exactly the same men and women filled the seats and participated in the morning worship, afternoon and night, adapting themselves so well to what was expected of them by the man in the pulpit, or rather on the rostrum, and fulfilling the requirements of each mode of worship.¹²⁷

The immigrant groups in the county established their own churches. The Irish, German, and other Catholic groups held services in private homes during the early years. In 1833 the Reverend Charles Felix Von Quickenborne, S. J., of St. Louis visited Beardstown and organized one of the oldest parishes in the state. In 1838 the Reverend J. B. Raho of La Salle visited the county. He described his journey through the area in the following terms: "I discovered about 200 Irish Catholics scattered around a radius of 60 miles of Beardstown. I visited them on foot carrying a carpet bag containing everything necessary for the celebration of Holy Mass and the administration of the Sacraments. . . ."¹²⁸ In 1851 the Beardstown Catholic community was favored with a visit by the Right Reverend James Oliver Vandervelde, second bishop of Chicago. He initiated a movement for the erection of a church in the town and contributed \$50 from his own funds for that purpose. This church was completed 1852 and was called St. Alexis Church.¹²⁹ Catholic societies also existed in Virginia, Arenzville, and Ashland before the Civil War, but no churches were erected until after the war. ¹³⁰

The German Protestant groups organized the first German Evangelical church in Beardstown about 1841. This church became a German Methodist Episcopal church in 1845.¹³¹ In 1850 some members left the church for doctrinal reasons and formed the Evangelical Lutheran church at Beardstown. ¹³² German religious groups were also prominent in Arenzville and Chandlerville before the Civil War. ¹³³

127. French, "Early Reminiscences," Illinois State Historical Society, Transactions, 1901, p. 61.

128. Joseph J. Thompson, Comp., Diocese of Springfield in Illinois, Diamond Jubilee History, p. 174.

129. Joseph J. Thompson, Comp., Diocese of Springfield in Illinois, Diamond Jubilee History, p. 174-76.

130. Ibid., 232, 233.

131. Martin, ed., History of Cass County, p. 750.

132. Ibid., p. 751.

133. Evangelical Lutheran Synod of Missouri, Ohio and Other States, Statistical Year-Book 1938, p. 43.

Local Newspapers

The political newspaper appeared very early in the county. The Beardstown Chronicle and Illinois Bounty Land Advertiser, which appeared in June 18, 1833, lasted only until the fall of 1834.¹³⁴ For the next twelve years Cass County did not possess a newspaper.¹³⁵ On August 15, 1845, however, Sylvester Emmons, a famous anti-Mormon leader who had been expelled from Nauvoo the previous year, established the Gazette, a Whig sheet, in Beardstown.¹³⁶ The Whigs had carried the county in the presidential elections of 1840 and 1844 by small margins, and succeeded in beating the Democrats again in 1848.¹³⁷ Emmons ran the Gazette until December 2, 1852 when he sold it to J. L. Sherman. The latter changed the name of the paper to the Beardstown and Petersburg Gazette.¹³⁸ The owners of the sheets were changed again in 1854; and it was named the Central Illinoisian -- under which title it was published until the Civil War.¹³⁹ Other newspapers appeared sporadically during the 50's and 60's; but they either did not last very long or their owners removed them from the county. Among them were the Owl, a reputed "scandal-mongering society paper" which appeared in Virginia from 1848 to 1849;¹⁴⁰ the Virginia Chronicle an ultra-Whig paper put out by a Mr. Tilden from 1847 to 1852 and then removed from the town;¹⁴¹ and the Democrat issued by W. D. Shurtleff in Beardstown from 1858 to 1865.¹⁴² The last-mentioned newspaper no doubt helped the Democrats continue their control over the county, which they had established in the elections of 1852 and 1856, during the Civil War period -- for Lincoln did not carry Cass County either in 1860 or 1864.¹⁴³

134. Martin, ed., History of Cass County, p. 786.

135. Martin, ed., History of Cass County, p. 786.

136. Ibid.

137. Theodore C. Pease, Illinois Election Returns, 1818-1848, p. 117, 149; The Whig Almanac and United States Register (1849), p. 62. The vote in 1840 stood: Whig, 397; Democrat, 315. In 1844, Whig, 423; Democrat, 408. In 1848, Whig, 761; Opposition, 724.

138. Martin, ed., History of Cass County, p. 786.

139. Ibid., p. 786, 787.

140. Conger and Hull, eds., History of the Illinois River Valley, I, 359.

141. Perrin, ed., History of Cass County, p. 92.

142. Martin, ed., History of Cass County, p. 782-84.

143. The Whig Almanac and United States Register (1853), p. 61; The Tribune Almanac and Political Register (1857), p. 60; The Tribune Almanac (1861), p. 56; Ibid., (1865), p. 59. The vote by party for the elections held during the years 1852-1864 was: 1852, Democrat, 830; Whig, 784. In 1856, Democrat, 914; Republican, 303. In 1860, Democrat (Douglas), 1,301; Republican (Lincoln), 1,046. In 1864, Democrat, 1,243; Republican Union, 863.

German Literary Association

The presence of a large number of immigrants from Germany during the ante-bellum period and their contributions to the economic and social life of the county has been pointed out. In 1857 a group of Germans in Beardstown secured a charter for the "German Literary Association of the city and vicinity of Beardstown." The leading spirits of the Association were Christopher H. C. Kaveklut, Frederick Ehrhardt, Frederick Krohe, Ferdinand Gibbers, Alexander Sommers, Emil Lippert, and Joseph Strehlin. The object of the Association was declared to be "to unite Germans, of all creeds and classes, in a literary bond of brotherhood and mutual friendship, in the pursuit of science and literature." ¹⁴⁴ With schools, churches, a theological school, a library association, and a literary association established in the county by 1860, the educational and religious needs of the inhabitants of Cass County were adequately served.

From the Civil War to 1940 -- Political

Even before the Civil War the growing complexity in the work of the county administrative units was evident. The war merely accelerated this process until the county could not bear the burden of carrying on its normal functions without outside aid. The state government attempted to help the county out of its difficulties by passing special acts enabling the local government to increase its tax rates. After the turn of the century, however, the state government found itself caught in the whirlpool of centralization. When the Federal Government stepped in after 1929 and took over some of the governmental functions formerly considered the sole province of the local regions, the county was not merely relieved of certain responsibilities but also of the rights and privileges of determining directly the politics affecting public relief, roads, and other functions.

War Record

During the Civil War Cass County contributed its manpower to the military branches of the nation. The following army divisions had groups of men from Cass in them: 19th Illinois Cavalry; 32nd Illinois Regiment, Company G; 33rd Illinois Regiment, Company K; 47th Illinois Regiment, Company F; 19th Illinois Infantry, Company F; 33rd Illinois Infantry, Company K; and 114th Illinois Infantry, Company D. Charles E. Lippincott, a son-in-law of Dr. Charles Chandler and a resident in Chandlerville, was the captain of the 33rd Illinois Infantry Company K, and later was made a brigadier general. ¹⁴⁵ The county court in 1862 had ordered that a count should be made of the number of persons that entered the service of the United States

144. Priv. L. 1857, p. 421, 422.

145. Perrin, ed., History of Cass County, p. 119, 163-65.

from the commencement of the war up to September 1, 1862. The returns by precincts showed the following:

TABLE II: MEN IN U. S. SERVICE, 1862¹⁴⁶

Princinct	No. of Men
Beardstown	283
Lancaster	130
Princeton	17
Chandlerville	61
Monroe	25
Richmond	64
Arenzville	52
Indian Creek	40
Virginia	146
TOTAL	818

By 1860, 1 out of every 10 persons in the total population (1,312 out of 11,325) was in the army. ¹⁴⁷ (See Table II)

The county aided the families of the soldiers away from home somewhat; and the question of giving county bonuses was raised by James A. Dick and others in October 1864.¹⁴⁸ This petition and the one of Patrick O'Brien in February 1865 were refused because "the people are already taxed; and . . . there is not authority in this Court to make such appropriation." ¹⁴⁹ The act of February 16, 1865, however, authorized the county court to levy a special tax for a bounty fund and to award drafted men or volunteers not more than \$500 each.¹⁵⁰ War orphans were provided for at the Illinois Soldiers' College at Fulton, Whiteside County. ¹⁵¹

The material dealing with the participation of the men from Cass County in the Spanish - American War and World War I is not readily available. Yet, we do know that the county was represented in both wars. The honor roll of Cass County in the Virginia Public Library lists 1,032 names of men who served in the World War.¹⁵²

Final Change in County Seat -- Establishment of Township System

A little over a decade before the Civil War the

146. County Court Record, v. C, p. 92,95, in Supervisors' Minutes (Record), see entry 3.

147. D. W. Lusk, Politics and Politicians, p. 172; U. S. Secretary of the Interior, Eighth Census of the United States, 1860, Population, p. 79.

148. County Court Record, v. C, p. 188.

149. Ibid., p. 202.

150. Priv. L. 1865, I, 117.

151. County Court Record, v. C, p. 363, in Supervisors' Minutes (Record), see entry 3.

152. Soldiers' Discharges, v. 1, see entry 98; Miscellaneous Record, see entry 78 (1x).

state constitution of 1848 had required all counties to change their form of government from the county commissioners' court to the county court and further provided that those counties that wish to adopt the township system may do so.¹⁵³ Accordingly the last county commissioners, Henry McHenry, George H. Nolte, and George W. Weaver gave way to the first officials under the county court form of government (December 1849): James Shaw, county judge; William Taylor and Thomas Plasters, justices of peace for the county; and Lewis F. Sanders, clerk of the county court.¹⁵⁴

An effort to effect a township organization was not lacking. In 1849 an election was held upon petition on the question of township organization. A majority of those voting (286 to 178) decided in favor of the township form of government and laying out commissioners were appointed (F. A. Arenz, James Berry, and Charles Chandler) "to lay off the County into towns or townships, and to name each Township so layed off."¹⁵⁵ The commissioners failed to perform their duty as scheduled since Berry died and Arenz and Chandler couldn't get together. ¹⁵⁶ Although the records do not mention the incident again it can readily be seen that the number that voted for township organization did not constitute over 50% of the total of legal voters in the county. ¹⁵⁷ Therefore, the first attempt to establish township government failed.

In the meantime the citizenry in the central and eastern parts of the county were dissatisfied with the removal of the county seat from Virginia to Beardstown in 1845. Elections on the question of returning the seat to Virginia were held in 1853, 1857, 1868, and 1872.¹⁵⁸ Only in the last election did a majority vote to remove the seat to Virginia (1,458 to 1,330).¹⁵⁹ The results of this election were contested by the Beardstown people in the circuit court and in the Illinois Supreme Court. In both cases the decision

153. Const. 1848, Art. VII, sec. 6, L. 1849, p. 62-67.

154. Commissioners' Court, v. 1, p. 543; County Court Record, v. B, p. 1, in Supervisors' Minutes (Record), see entry 3.

155. County Court Record, v. B, p. 3.

156. Ibid., p. 2, 13.

157. Only 286 voted for the adoption of the township system. The total vote cast in the election of 1848 was 1,485. See The Whig Almanac and United States Register (1849), p. 62.

158. L. 1853, p. 152, 153; L. 1857, p. 193; Perrin, ed., History of Cass County, p. 51.

159. County Court Record, v. D, p. 131, in Supervisors' Minutes (Record), see entry 3. The sectional division over the location of the county seat can readily be seen from the vote by precincts. Those nearer Beardstown opposed the removal by a vote of 1,201 to 110; those near Virginia voted 1,348 to 128 for the removal. Ibid., p. 140.

was in favor of Virginia--but it was not until 1875 that the removal was finally made and business begun at the present-day county seat.¹⁶⁰ With the removal of the seat from Beardstown the courthouse in that city was turned over to school district no. 1 until September 15, 1877 when both the courthouse and the jail were sold for \$300;¹⁶¹ and a new courthouse was received as a present from the City of Virginia.¹⁶² The new jail in Virginia was built by the county in 1876-1877 and cost about \$15,000. The contractor was Joseph W. Black of that city.¹⁶³

After the adoption of the Constitution of 1870, counties under the county form of government automatically went back to the county commissioners' system.¹⁶⁴ The last county court officials (1873) were F. H. Rearick, judge; Jeptha Plasters and Andrew Struble, county justices; Allen J. Hill, county clerk; and George Volkmar, sheriff.¹⁶⁵ The first board of county commissioners met December 1873. They were Robert Fielden, John H. Malone, and William Campbell. James B. Black was the first clerk and George Volkmar continued holding the sheriffalty.¹⁶⁶ Although elections were requested several times after 1849 on the question of changing to township organization, the county continued under the commissioners' form of government until after the World War.¹⁶⁷

The petition of F. C. Wallbaum in 1923 praying that the court submit the question of township organization again to the voters proved to be successful. At the election held on November 6, 1923 the voters decided, by a vote of 3,521 to 761, in favor of making the change.¹⁶⁸ The commissioners appointed to divide the county were Jeptha Armstrong of Chandlerville, John Broeker of Beardstown, and Joseph E. Edwards of Oregon.¹⁶⁹ They set up eleven townships: Arenzville, Ashland, Beardstown, Bluff Springs, Chandlerville, Hagener, Newmansville, Panther Creek, Philadelphia, Sangamon Valley and Virginia.¹⁷⁰ The first meeting of the board of supervisors was held April 14, 1924.¹⁷¹ The

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160. 76 Ill. 36, 37; County Court Record, v. D, p. 123, 124, 132, 287, 288, 289.
161. County Court Record, v. D, p. 430, 504.
162. *Ibid.*, p. 292, 306, 316, 344.
163. *Ibid.*, p. 383, 384.
164. Art. X, secs. 5 and 6.
165. County Court Record, v. D, p. 196, 198, in Supervisors' Minutes (Record), *see* entry 3.
166. *Ibid.*, p. 303.
167. Petitions of Peter Richard (1857), Kelling Berry (1871), and Levi Horton (1901). *See* *ibid.*, v. B, p. 457; *ibid.*, v. D, 73; Martin ed., History of Cass County, p. 660, 661.
168. County Board Minutes, v. 5, p. 546.
169. *Ibid.*, p. 557, 558.
170. *Ibid.*, p. 583-86.
171. Martin, ed., History of Cass County, p. 583-86.

TABLE III: RURAL ROAD MILEAGE 172

MILEAGE								
TYPE OF ROAD	Total	Brick	Con-crete	Low Type Bituminous	Gravel or Stone	Soil Surfaced	EARTH	
							Graded	Unimproved
Primary (Federal Aid)	45.9		45.9					
Primary (Non-Federal Aid)	1.0		1.0					
State Aid (Federal Aid)	22.8		0.1	7.0	2.8	11.7	1.2	
State Aid (Non-Federal Aid)	68.7		1.4	7.9	13.6	41.5	4.1	0.2
Local (Federal Aid)	0.0							
Local (Non-Federal Aid)	389.3	0.3	0.6	0.4	130.5	27.3	224.7	5.5
TOTAL	527.7	0.3	49.0	15.3	146.9	80.5	230.0	5.7

172. Figures furnished by Illinois Division of Highways, Bureau of Highway Research.

supervisors in the eleven townships in 1940 were: Albert Nicol, Arenzville; George Jenkins, Ashland; Wesley Perry, William H. De Sollar, and Arnold F. Gramman, Beardstown; Gus A. Clark, Bluff Springs; C. F. Harbison, Chandlerville; Russell Nordsiek, Hagener; S. S. Monroe, Newmanville; George Cline, Panther Creek; R. E. Wankel, Philadelphia; T. S. Barber, Sangamon Valley; and Frank C. Fox, Virginia.¹⁷³

County Roads -- Federal Aid

Under both the county court and board of county commissioners new roads were opened in the 60's and 70's. Turnpike and toll roads appeared as early as 1841, and in 1866 the laying of the Beardstown-Petersburg Road was ordered.¹⁷⁴ The first hard surface road was laid in 1909.¹⁷⁵ By 1940 the total length of rural roads in the county was 527.7 miles (see Table III).

Increase of Poor Relief -- Federal Program

The enlargement of the poor relief program also took place after the Civil War. Only two years after the addition to the poor farm was purchased (1852), the county board decided to build a poorhouse to replace the farm house on the poor farm. Jesse Riggins was awarded the contract and completed the poorhouse in December 1854. He was paid \$950.¹⁷⁶ Some thirty years later, in 1888, a new poorhouse was erected by Henry J. Schroeder for \$3,844.¹⁷⁷ This three-story poorhouse was burned down in 1899, and a new two-story house covering a larger area was erected with the fire-insurance money received (\$3,096.44) plus other county monies. The total cost of this poorhouse (still in use in 1940) was not stated in the records.¹⁷⁸

Within the last four decades the problem of public welfare has increased in complexity -- especially after 1929 when the old local system broke down under the severe economic dislocation, and the Federal Government was forced to take over many of the local public welfare functions. The statistical data presented in Table IV shows to what extent this transfer has been effected.

173. Record of Officers Elected, v. 1, p. 4, see entry 51.
174. Commissioners' Court, v. 1 p. 130; County Court Record, v. C, p. 308, in Supervisors' Minutes (Record), see entry 3.
175. Martin, ed., History of Cass County, p. 781.
176. County Court Record, v. B, p. 229-238, in Supervisors' Minutes (Record), see entry 3.
177. Martin, ed., History of Cass County, p. 672, 673.
178. A man named Knapp was tried for arson in connection with the burning of the almshouse, but was acquitted, October 1849. See Criminal Case Files, nos. 1730-1820, entry 166. For the 1899 poorhouse, see Register of Warrants, v. D, nos. B7827, B7828, B8138, see entry 8. C. H. Sexton, the contractor, received \$2.200 plus an unspecified amount.

TABLE IV: NO. OF PERSONS DEPENDENT UPON 5 PUBLIC ASSISTANCE PROGRAMS 179

Month	Number	% of Popula- tion	One in Every	General Relief	W. P. A.	O. A. A.	Mothers' Pensions	Blind Pensions
1939								
April	4779	28.9	3	2741	1904	594	115	22
May	4606	27.9	4	2680	1683	594	115	22
June	4948	29.9	3	2636	2048	609	115	22
July	4805	29.1	3	2526	2008	609	115	22
August	4698	28.4	4	2451	1938	607	116	22
September	4913	29.7	3	2396	2188	606	117	22
October	4723	28.6	4	2363	1911	617	117	22
November	4821	29.2	3	2369	2079	618	117	22
December	4779	28.9	3	2137	2260	614	117	22
1940								
January	4713	28.5	4	2131	2246	617	113	22
February	4952	29.9	3	2903	2133	616	111	22
March	5360	32.4	3	2890	2500	613	105	22
April	5327	32.2	3	2526	2629	604	107	23

May	5146	31.1	3	2349	2854	604	106	23
June	4736	28.6	3	2247	2278	600	106	23
July	4978	30.1	3	2378	2219	597	109	24
August	4784	28.9	3	2532	1831	593	108	24
September	4800	29.0	3	2838	1650	592	103	24
October	4693	28.6	3	2857	1227	594	101	24
November	4516	27.5	4	2727	1250	590	100	23
December	5158	31.4	3	2767	1817	587	100	23

179. Illinois Emergency Relief Commission, Monthly Bulletin on Relief Statistics, VI (1939), Nos. 4-12, p.64, 78, 96, 112, 128, 144, 164, 180, 196; VII (1940), Nos. 1-12, p.10, 40, 56, 72, 88, 102, 120, 136, 152, 172, 192, 212.

Growing Complexity in County Finances

The additional expenses incurred by the county as a result of larger expenditures for public buildings and their furnishings, roads and bridges, public welfare, and railroads meant an increase in tax rates. Tax rates rose from below \$1.00 per \$100 valuation on personal and real-estate property to as high as \$2.15 per \$100 in 1860.¹⁸¹ After the war, however, the rates fell to about \$1.50 in 1870 and remained at about \$1.25 per \$100 for the next seven decades.¹⁸² The amounts of receipts and disbursements passing through the hands of the county treasurer each passed the \$30,000 mark in 1880 and the \$100,000 mark in 1920.¹⁸³ The items in the lists of assessed taxable property changed during the last eight decades; and such significant property items as automobiles, machinery and equipment, capital stock of corporations, railroad properties, and public utility personalty became more and more important in the later lists. From these same lists, however, it is also evident that the county still remained a predominantly agricultural region. (See the comparative statement of taxable property, 1879, 1902, 1920, and 1938 in Table V.)

County in National Politics

The close division of the vote of the county in national elections visible in the ante-bellum period and during the Civil War continued for the next five decades. Yet, during all the elections from 1868 to 1916 inclusive the Democratic presidential candidates carried the county. In some years the margin of victory was substantial as in 1868, 1884, 1892, and 1912. In other years, however, the defeated candidate failed to carry the county by a few hundred. In 1872 Greeley defeated Grant by only 5 votes (see Table VI).

TABLE VI: VOTES CAST IN CASS COUNTY FOR PRESIDENT,
1868-1916¹⁸⁴

Year	Democrat	Republican	Year	Democrat	Republican
1868	2125	1077	1896	2462	1946
1872	1152	1147	1900	2626	1846
1876	1618	1209	1904	1906	1827
1880	1778	1262	1908	2434	1878
1884	2506	1405	1912	2223	719
1888	2073	1527	1916	4485	3193
1892	2203	1533			

181. County Court Record, v. B, p. 654; *ibid.*, v. c, p. 574, in Supervisors' Minutes (Record), see entry 3.

182. County Board Record, v. E, p. 207; *ibid.*, v. F, p. 220. County Board Minutes, v. 2, p. 187, in Supervisors' Minutes (Record), see entry 3. Collector's Books, 1900, 1910, 1920, 1930, and 1938, see entry 27.

183. County Board Record, v. F, p. 228; County Board Minutes, v. 5, p. 325.

184. The Tribune Almanac and Political Register (1868),

After the World War, in the elections of 1920, 1924, and 1928, the county switched to the Republican column; but in the last three elections the Democrats were again the victors.¹⁸⁵ The proclivity of the majority of voters in the county toward the Democratic Party since the disintegration of the Whig Party in 1852-1854 is interesting -- especially in view of the general contention of some political historians that Whig areas usually (except in the South) became attached to the Republican Party.¹⁸⁶

From the Civil War to 1940 - Economic and Social

The economic and social changes after the Civil War were reflected in, and overshadowed, the political and administrative developments. The coming of the railroad and the increase of business and manufacturing activities stimulated the expansion of agricultural pursuits in the county. Forces beyond the control of the local farming group, however, arose after the World War which tied the county to the cycles of prosperity and depression and resulted in the economic and social dislocation of many of its inhabitants.

Growth of Population

After 1860 the number of people in the county increased very slowly (except for the decade between 1870 and 1880), and after 1920 the total number actually declined. Very few immigrants entered the county, so that by 1930 the number of foreign-born (which had been 2,454 in 1860) was only 322 out of a total population of 16,197. All of them, except 14, came from northern and eastern European countries. (See tables VII and VIII.)

The changes in the centers of population in the county after the Civil War also were not very great. Beardstown, which was incorporated as a city in 1849, easily continued holding the lead which it possessed

p. 71; (1873), p. 68; (1879), p. 64; (1881), p. 46; (1884), p. 52; (1889), p. 62; (1893), p. 270; (1897), p. 235; (1901), p. 323; (1903-1905), p. 312; (1909), p. 323. The Chicago Daily News Almanac and Yearbook (1913), p. 436; (1917), p. 431.

185. Ibid. (1921), p. 729; (1925), p. 713; (1929), p. 690; (1933), p. 688; (1937), p. 795. Illinois Department of Secretary of State, Official Vote of the State of Illinois Cast at the General Election, Nov. 5, 1940, p. 8. The total vote for the elections held during 1920-1940 was: 1920, Republican, 3,956; Democrat, 2,861. In 1924, Republican, 3,139; Democrat, 2,909. In 1928, Republican, 4,009; Democrat, 3,461. In 1932, Democrat, 5,669; Republican, 2,745. In 1936, Democrat, 5,786; Republican, 3,209. In 1940, Democrat, 4,854; Republican, 4,490.

186. See Theodore Clark Smith, Parties and Slavery 1850-1859, p. 108-20; Jesse Macy, The Anti-Slavery Crusade A Chronicle of the Gathering Storm, p. 98-111.

TABLE VII: POPULATION STATISTICS,
1870-1940 ¹⁸⁷

Year	Total	Colored	Foreign-Born
1870	11,576	7	1,656
1880	14,487	6	1,760
1890	14,391	1	1,572
1900	15,938	4	1,284
1910	17,368	4	866
1920	17,896		600
1930	16,197		322
1940	16,425		Not yet Available

from the very beginning over the other towns in the county. ¹⁸⁸ Virginia was not incorporated as a city until 1873; ¹⁸⁹ and town governments were established in Chandlerville, Arenzville, and Ashland in the 1850's and 1860's. ¹⁹⁰ Several villages which had existed in ante-bellum days, like Monroe, Princeton, and Lancaster were forced out of existence mainly because they did not possess railroad connections; while Philadelphia which was laid out and platted in the 1830's declined in favor of Virginia in the 60's. ¹⁹¹

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187. U. S. Secretary of the Interior, Ninth Census of the United States, 1870, I, Population, 23, 109, 351; Tenth Census, 1880, I, Population, 387, 505; Eleventh Census, 1890, I, Population, Part I, 407, 619; Twelfth Census, 1900 I, Population, Part I, 579, 746; U. S. Bureau of the Census, Fourteenth Census, 1920, III, Population, 251, 271; Fifteenth Census, 1930, Population III, Part I, 614, 637; Rand McNally Commercial Atlas and Marketing Guide, p. 120, 121.
188. Priv. L. 1857, p. 1049, 1050. See Directory of Newspapers and Periodicals, 1940, p. 195, 197, and 201 for comparative population figures on cities and towns in Cass County.
189. Priv. L. 1857, p. 1443-50
190. Priv. L. 1861, p. 577; Priv. L. 1869, III, 566-74; Perrin, ed., History of Cass County, p. 147.
191. Ibid, p. 159.

TABLE VIII: COUNTRIES OF ORIGIN OF FOREIGN BORN LIVING IN THE COUNTY, 1870-1930

Countries	1870	1880	1890	1900	1910	1920	1930
Germany	1,078	1,090	1,034	871	582	394	214
Ireland	407	359	242	184	114	62	23
England and Wales	209	159	144	95	52	47	22
Scotland	75	58	37	27	19	7	3
Scandinavia (Sweden, Norway, and Denmark)	23	38	66	55	50	39	27
Holland	4			2	1	2	4
Belgium	4		1				
Luxembourg						2	1
France	8	11	8	3	3	7	2
Austria			3	1	3	3	
Switzerland	18	2	12	13	9	3	
Portugal			1				
Italy					2	1	
Greece					10	2	3
Jugoslavia						1	
Hungary						2	
Czechoslovakia		1				2	1
Poland				1		1	2
Russia			2	3	4	4	6
Palestine and Syria							1
China				1			
Mexico						9	
Canada and Newfoundland	34	42	21	25			
Others			1	3	1	1	1
Total	1,656	1,760	1,572	1,284	866	600	322

192.

U. S. Secretary of the Interior, Ninth Census of the United States, 1870, I, Population, p. 23, 109, 351; Tenth Census, 1880, I, Population, 387; Eleventh Census, 1890, I, Population, Part I, 407, 619; Twelfth Census, 1900, I, Population, Part I, 579, 746; Thirteenth

Census, 1910, II, Population, 484; U. S. Bureau of Census, Fourteenth Census, 1920, III, Population, 251, 270, 271; Fifteenth Census, 1930, Population, III, Part I, 614, 637; Rand McNally Commercial Atlas and Marketing Guide, p. 120, 121.

Coming of the Railroad

Railroad promoters realized in the 50's the necessity for tapping an area having farms valued at over four million dollars and producing manufactured goods totaling over eighty thousand dollars.¹⁹³ Several companies, planning to serve the Cass County locality, were incorporated before the Civil War; ¹⁹⁴ yet only two were actually constructed within the boundaries of the county. The St. Louis, Jacksonville and Chicago (by 1884 a part of the Chicago and Alton) was opened in 1858. It ran through Ashland, Cass County, and served only a small portion of the extreme southeast of the county.¹⁹⁵ The Illinois River Railroad (by 1887 a part of the Chicago, Peoria and St. Louis) was completed in 1859 from Pekin (Tazewell County) to Virginia, and extended to Jacksonville in 1869.¹⁹⁶ The railroad people felt that the \$100,000 worth of subscriptions made by the county were not enough and tried to secure an additional \$15,000 from the county before completing the road from Virginia southward. When the county officials failed to comply with this request the tracks were not laid directly through the town but about one fourth of a mile east of it. ¹⁹⁷ Virginia, however, soon outgrew its limits and extended eastward to include the railroad station.¹⁹⁸

The first post-bellum railroad to be completed was the Rockford, Rock Island and St. Louis. The road was incorporated in 1865 and work was begun four years

193. U. S. Secretary of the Interior, Agriculture of the United States in 1860, p. 30; Eighth Census of the United States, 1860, III, Manufactures, 84.
194. The railroad companies that were incorporated during the 50's and 60's and that had rights of way through Cass County were: Beardstown and Petersburg Railroad (1853); Jacksonville and Beardstown Railroad (1857); Illinois Farmers' Railroad (1859); Beardstown, Chandlerville and Mason City Railroad (1869); Peoria, Pekin and Jacksonville Railroad (1869); and Quincy, Beardstown, and Northeast Railroad (1867). See Priv. L. 1853, p. 31-34; Priv. L. 1857, p. 1261-66. Also see Priv. L. 1867, II, 642-44 for the act of incorporation of the Beardstown, Rushville and Keokuk Railroad, and the Priv. L. 1869, p. 322-25 for the act to authorize certain counties to subscribe stock.
195. Martin, ed., History of Cass County, p. 760.
196. The Illinois River Railroad was incorporated February 11, 1853. The Company was organized in 1857 with R. S. Thomas, a prominent citizen of Cass County, as its president. *Ibid.*, p. 775-77.
197. Martin, ed., History of Cass County, p. 775-77.
198. *Ibid.*

later.¹⁹⁹ In 1870 tracks between Beardstown and Arenzville were laid.²⁰⁰ These tracks are today a part of the Chicago, Burlington and Quincy Railroad which has opened a workshop in Beardstown employing, at times, as high as 1,000 to 1,200 men.²⁰¹

The last railroad to be constructed in the county was the Pana, Springfield and Northwestern Railroad in 1871. The tracks ran through the entire length of the county from the northwest to southeast connecting Beardstown with Bluff Springs, Virginia, Philadelphia, and Ashland.²⁰² In 1893 this road became part of the Baltimore and Ohio chain.²⁰³

The tendency throughout the nation for the amalgamation of small railroads with larger ones was visible in Cass County. By 1940 the Chicago, Burlington and Quincy and the Baltimore and Ohio controlled three of the four roads in the county -- the fourth, the old Chicago, Peoria and St. Louis, having been taken over by the Jacksonville and Havana Railroad.²⁰⁴

Agricultural Prosperity and Depression

The period after the coming of the railroad witnessed an increase in the number and value of farms. In 1880 there were 1,382 farms in the county; in 1900, 1,432. The value of the farms rose from \$4,260,382 to \$11,614,360. Farm implements and machinery were used more extensively in 1900 than in 1860; and the value of livestock increased from \$649,730 in 1860 to \$1,243,724 in 1900. The estimated value of farm products alone in 1900 was \$1,463,428. (see Table IX)

After the World War the number of farms decreased from 1,164 in 1920 to 1,070 in 1930, and their value declined by nearly \$20,000,000, the greatest depreciable item being land (declined from \$30,383,311 in 1920 to \$15,527,688 in 1930). The value of implements and machinery and livestock also took a severe drop (see Table IX); and the total worth of farm products declined by about three and a half million dollars. Cass County was caught in the net of the nationwide agricultural depression that followed the Great War of 1914-1918.

199. Martin, ed., History of Cass County, p. 777, 778.

200. Ibid.

201. Ibid., p. 778, 779.

202. Ibid., p. 777.

203. Ibid.

204. See Illinois Commerce Commission, Railroad Map of Illinois 1928 by P. H. Moynihan, et al. Copy of map located at 433 East Erie, Chicago, Illinois.

TABLE IX: AGRICULTURAL STATISTICS, 1860-1930²⁰⁵

Item	1860	1870	1880	1900	1920	1930
Number of Farms			1,382	1,432	1,164	1,070
Acres Improved	104,041	92,902	150,363	165,330	167,678	
Acres Unimproved	92,224		69,020			
Land in Farms			219,383	216,869	212,416	203,904
Value of Farms	4,260,382	4,591,535	6,817,105	11,614,360	39,249,369	19,825,863
Land					30,383,311	15,527,688
Buildings				1,429,080	4,539,014	4,298,175
Implements and Machinery	139,213		206,236	219,640	1,336,578	803,504 (1929)
Value of Livestock	649,730	672,190	791,713	1,243,724	2,535,466	1,417,400
Value of Animals Slaughtered	264,030					
Value of Farm products		1,071,951	(1879) 1,355,333	1,463,428	6,134,736	(1929) 2,553,756
Value of Dairy Products					158,876	(1929) 141,633

205. U. S. Secretary of the Interior Agriculture of the United States in 1860, p. 30, 31, 33, 726, 727; ibid., 1880, Agriculture, p. 44, 111; ibid., 1900, V, Agriculture,

Part I, 72, 73; U. S. Bureau of the Census, 1920, VI, Agriculture, Part I, 377, 387, 397; ibid., 1930, Agriculture, II, Part I, 569, 584, 637.

Other statistical data dealing with farm income, population, indebtedness, tenure, and mechanization, and with the comparative value of farm products (state and county) around 1930 reveals the impact of the World War and urban industrialism on the agricultural economy of the county. In 1930 the rural population was 5,553 or 33.6 percent of the total.²⁰⁶ The largest proportion of farms were devoted to crop specialties (55.3 percent), with general (18.9), animal (16.2), dairy (2.9), truck (.9), and poultry (.8) farms following in their respective order.²⁰⁷

Farm incomes were derived, percentably, from these specified sources: crops, 44.6; livestock, 37.8; livestock products, 9.4; and forest products, 0.4.²⁰⁸ The operators of the farms used about 7.8 percent of the products themselves.²⁰⁹ Crops and pasture lands were devoted largely to raising winter wheat (19.8); rye (1.9); spring grain (8.6); hay (5.0).²¹⁰ Other crops took up 2.6 percent of the crop lands, and pasture and idle, fallow, and "failure" land amounted to 34.5 percent of the total crop and pasture land.²¹¹ The comparative average crop yields over the decade, 1924-1933, shows in what proportion Cass County was a typical Illinois agricultural county (see Table X). During this period (1920-1940) as much as 90 percent of the county land was in farms.²¹²

Even in the pre-World War period, in the more prosperous days, share cropping and tenancy made their appearance in the county. The number of farms operated by their owners decreased from 844 in 1880 to 413 in 1930; the number held on a rental basis were 130 in 1880, 163 in 1900, and 48 in 1930; and those in which the products were shared amounted to 408 in 1880, 468 in 1900, 335 in 1920, and 450 in 1930.²¹³ Of the owner-operated farms in 1930, 46.1 percent were mortgaged in the county as compared to 41.3 percent in the whole state. The average mortgage debt in the county was \$9,569 per farm mortgage; in the state, \$6,182.²¹⁴ The average rate of interest on the mortgage debt and the average taxes on lands and buildings per acre, however, were almost equal for the county and the state (5.8 percent, state average interest rate, 5.7, for the county; 1.15 percent average taxes on lands

206. Farm, Home and Community, p. 2.

207. Ibid., p. 38.

208. Ibid.

209. Ibid.

210. Ibid., p. 15.

211. Farm, Home and Community, p. 15.

212. Ibid., p. 3.

213. U.S. Department of the Interior, Report on the Production of Agriculture, 1880, p. 44, 45; ibid., 1900, V, Agriculture, Part I, 72; U.S. Bureau of the Census, 1920, VI, Agriculture, Part I, The Northern States, 377; ibid., 1930, II Agriculture, Part I, The Northern States, 569.

214. Farm, Home and Community, p. 41.

TABLE X: AVERAGE CROP YIELD, 1924-1933,
AND
CROP YIELD INDEX ²¹⁵

Item	Illinois in percent	Cass in percent
Corn, Bushel per acre	34.9	37.1
Oats, Bushel per acre	32.4	31.5
Winter Wheat	16.4	17.1
Spring Wheat	18.1	16.8
Barley	27.6	25.4
Rye	13.6	13.3
Soy Beans	16.7	14.9
Tame Hay, Tons	1.3	1.3
Crop Yield Index (Corn, Oats, Wheat)	100.	103.9

TABLE XI: MANUFACTURING STATISTICS, 1860-1930 ²¹⁶

Item	1860	1870	1880	1900	1919	1930
Number of Establishments	7	22	67	132	12	11
Capital	41,756	130,200	196,640	566,648		
Average Number Employees	71	107	104	404	81	543
Wages	23,928	40,655	25,427	143,088	81,709	776,693
Cost Materials		194,385	277,816	580,418	4,251,770	3,302,620
Value of Product	83,840	293,252	367,558	912,137	4,412,496	4,348,487

215. Farm, Home and Community, p. 16

216. U. S. Secretary of the Interior, Eighth Census of the United States, 1860, III, Manufactures, 84; ibid., A Compendium of the Ninth Census of the United States, 1870, p. 818; ibid., Tenth Census of the United States, 1880, II, Manufactures, 107; ibid., 1900, VIII, Manufactures, Part I, 168; U. S. Bureau of the Census, Fourteenth Census, 1920, IX, Manufactures, 311; ibid., 1930, Manufactures, III, 139.

TABLE XII: SCHOOL STATISTICS, 1867-1939 217

Item	1867	1881	1901	1920	1931	1939
Between 6 and 21	4,188	4,859	5,198	4,669	4,276	
Number of Districts	66	72	63	64	65	65
Number of Schools	65	67	70	70	72	75
Number of Pupils	3,306	3,521	3,992	3,718	3,882	3,679
Number of Teachers	103	96	119	145	158	158
Number of Private Schools	2	4	5	3	3	2
Number of Pupils	70	95	151	100	109	127
Number of Libraries		7	20	62	65	80
Number of Volumes	332	207	2,197	7,905	9,310	16,027
Average Monthly Wage- Male		49.84	52.81	135.50	163.98	
Average Monthly Wage- Female		38.71	39.12	66.62	96.64	
Value of School Property		50,525	152,775	441,460	1,072,280	1,602,711
Expenditures Year Ending June	31,303	39,148	67,602	182,548	300,971	225,325
District Tax Levy	22,506	31,579	54,308	142,024	257,800	230,816
High Schools		2	5			
Illiteracy		9	10			

217. Illinois Department of Public Instruction
 Seventh Biennial Report, p. 476, 480, 484,
 488, 516; Fourteenth Biennial Report,
 p. 360, 362, 365, 368, 377, 380, 395;
 Forty-second Biennial Report, p. 2, 5, 16,

38, 40, 41, 44, 68, 113, 142, 181; Ibid.,
 Illinois School Statistics for Year End-
 ing June 30, 1914, p. 18, 22, 30, 48, 50,
 52, 58; Farm, Home and Community, p. 48.

and buildings for the state, 1.16 for the county).²¹⁸ Although the land values of farms were considerably high in Cass County than in the state (value per farm: Illinois, \$15,553; Cass, \$18,529), yet in 1930, 56 percent of the farmland was tenant operated.²¹⁹

Business and Manufacturing

The commercial activities of the county after the Civil War continued to be centered mainly around the agricultural pursuits. Manufacturing establishments increased from 7 in 1860 to 132 in 1900 but declined in number to 11 in 1930. The average number of employees of the 132 establishments in 1900, however, was only 404 while the 11 in 1930 hired 543 employees on the average. Moreover, wages, cost of materials, and value of the products were considerably greater in 1930 than in 1900 illustrating the operation of the process of consolidation. (see Table XI). Banking facilities were established and enlarged throughout the county, and the number of retail stores of various kinds in 1940 were 248.²²⁰

Social Development

In spite of the relative slow growth of population before 1920 and its decline in absolute number after the last war, the number of schools and teachers increased steadily and the value of school property rose markedly. (see Table XII). High schools were established throughout the county and the number of illiterates was reduced to a mere 108 out of a total population of 16,425.²²¹

Parallel to the increase in the number of schools in the county was the growth of church buildings and groups. Maintaining the lead gained by their itinerant preachers in the ante-bellum period, the Methodists waxed in number. By 1940 they had 5 churches in the county located at Beardstown, Bluff Springs, Chandlerville, Virginia, and Ashland and a membership of 2,653 persons.²²² The other denominations also increased in number so that by 1940 there were 12 in the county with 31 churches in operation and 5,697 members.²²³

218. Farm, Home and Community, p. 41.

219. Ibid., p. 40.

220. For a description of the banks in Cass County see Perrin, ed., History of Cass County, p. 85-88, 113, 114, 148; Rand McNally Commercial Atlas and Marketing Guide, p. 120.

221. Ibid., p. 121

222. Methodist Episcopal Church, Illinois Annual Conference, Journal and Year Book, 1939, p. 869.

223. See Congregational and Christian Churches, Year Book Statistics, 1938, p. 103-10; Disciples of Christ, 1939 Year Book of the International Convention, p. 376; Illinois Baptist State Convention, Annual 1939, p. 111; Evangelical Lutheran Synod of Missouri, Ohio and Other States, Statistical Year-Book,

The total church membership, however, was larger since those who were communicants of the six Catholic churches, the Episcopalian preaching station, and the Christian Science Society were not included in the total figure.

An interesting event in newspaper history occurred in the fruitful 70's when the Reverend Schaberhorn attempted to publish a German newspaper in the county: Der Beobachter am Illinois Flusz (1877). A year later Theodore Wilkins bought Der Beobachter and renamed it Der Beardstown Wochenblatt.²²⁴ The latter sheet also seems to have been short-lived.

Several well established daily and weekly local newspapers, however, appeared in the post-bellum period which were still in existence in 1940. The old Central Illinoisian, after several mergers, finally appeared in 1899 as the Illinoisian Star, with an office at Beardstown.²²⁵ At the county seat the Virginia Gazette, edited from 1881 to 1913, by Charles M. Tinney, a Republican, appeared regularly since 1872.²²⁶ The Ashland Sentinel, started by John S. Harper as the Weekly Eagle, was only four years younger than the Virginia Gazette; and the Chandlerville Times dated back to 1874.²²⁷

Conclusion

Viewing the history of the county retrospectively from the Civil War until 1940, we are able to note the following outstanding events: (1) the replacement of the county court and board of county commissioners by

1938, p. 43; Cumberland Presbyterian Church, General Assembly, Minutes One Hundred Ninth Meeting (June 1939), p. 195; Presbyterian Church in the U. S. A., General Assembly, Minutes, 1939, Part I, Journal and Statistics, p. 502; United Lutheran Church in America, Illinois Synod, Minutes of the Twentieth Annual Convention, 1939, p. 80; United Lutheran Church in America, Wartburg Synod, Minutes of Sixty-fourth Convention, 1939, p. 36; E. P. Alldredge, Southern Baptist Handbook, 1939, p. 257, 515, 516; Protestant Episcopal Church in the United States of America, Year Book, 1940, p. 330; The Christian Science Journal (June 1940), LVIII, No. 3, 13; The Official Catholic Directory, 1935, p. 533-35.

224. Perrin, ed., History of Cass County, p. 122, 123.

225. Martin, ed., History of Cass County, p. 786, 787.

226. Ibid., p. 785, 786.

227. Ibid., p. 786, 787.

the township system of government; (2) the establishment of schools, churches, newspapers, and other social institutions; (3) the breakdown of the old agricultural life because of mechanization, the coming of the railroad, and the rise of the competitive urban industrial order; and (4) the necessity on the part of the Federal government to step in and help the county government carry out its many functions.

2. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

Introduction

The county in Illinois is a corporate body¹ and an administrative unit of the state; its governmental organization is at all times largely an expression of this dual nature.

The growth of the county as a body politic is reflected, in each of the state's three constitutional periods, in a progressive expansion of the powers which may by law be exercised by the county board, and in the creation of new, and the extension of existing, county offices. The latter phase of growth in Cass County and in others similarly organized at present, has also been affected by the adoption of township organization, which for the first time constituted the civil towns as an additional level of government.

An analogous development appears in the state's invasion of new fields of government and the extension of the county's role as its agent. Originally, the county performed but a single important function for the state, that of collecting its share of the taxes levied within the county. Since then however education, public health, registration of vital statistics, public assistance, and many similar if less important matters have entered the province of state control or supervision. To effect this control, new governmental units, subcounty districts of various types, have come into existence or have been converted to new purposes; the county, because of its intermediate position, has become more important as a medium of that control.

Thus the complete operation of county government in Illinois brings into play a number of partly distinct authorities. Their relationships, at any time, are complex. The changing governmental organization of Cass County, therefore, is more easily traced from the viewpoint of the major functions of county government.

General Administration

General administrative jurisdiction over county business has always been vested in the county board. During the first constitutional period the county commissioners' court acted as the county board in all counties.² It was expressly declared to have no original or appellate jurisdiction in civil or criminal actions, but had all power necessary to the exercise of its jurisdiction in cases concerning the public affairs of the county collectively.³ The commissioners

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1. R. L. 1827, p. 107; R. S. 1845, p. 130; R. S. 1874 p. 306.
 2. Const. 1818, Schedule, sec 4; L. 1819, p. 175, 176.
 3. L. 1819, p. 176.

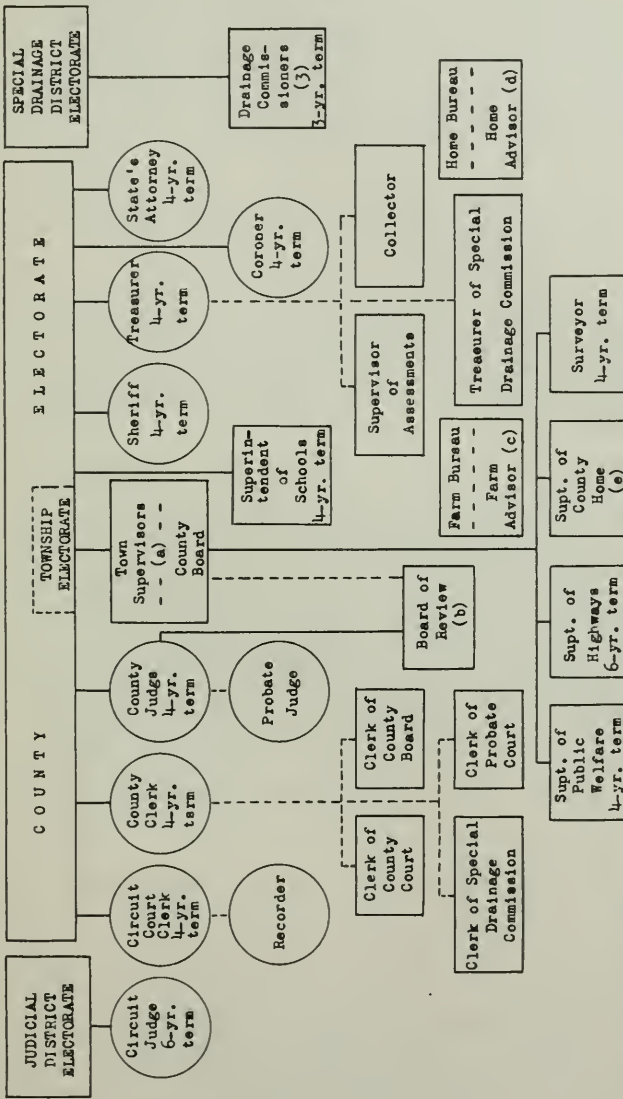
were constitutional officers,⁴ and were elected;⁵ the court existed solely by statutory provision.⁶ Attached to it in a ministerial capacity was the independent statutory office of clerk of the county commissioners' court,⁷ at first filled at the appointment of the court,⁸ later by election.⁹

Under the second constitution, the newly created county court succeeded to the position of the county commissioners' court.¹⁰ As an administrative body,¹¹ it was composed of the county judge, an elected, constitutional officer,¹² and two justices of the peace, elected at large.¹³ Another new office, that of clerk of the county court, was created to provide it with a ministerial officer; the clerk also was elected.¹⁴

The constitution of 1848 also made provision, for the first time for an optional form of county government.¹⁵ The subsequent enabling acts,¹⁶ provided that whenever the voters of a county might so determine, that county should adopt township organization; one of the principal results of such a change was to alter the form of the county board.¹⁷ An act of 1849 provided that the administrative body in such counties should consist of a board of supervisors, composed of members elected, one in each of several townships.¹⁸ The clerk of the county court was required by law to act as the ministerial officer of the new county board.¹⁹ In 1872, however, that clerk was replaced by a new

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4. Const. 1818, Schedule, sec. 4.
 5. L. 1819, p. 99; L. 1821, p. 80; L. 1837, p. 103, 104.
 6. L. 1819, p. 175.
 7. Ibid.
 8. Ibid.
 9. L. 1837, p. 49; L. 1845, p. 28.
 10. Const. 1848, Art. V, sec. 19; L. 1849, p. 65.
 11. The county court was also a court of law. For its jurisdiction as such, see Administration of Justice, Courts, p. 58.
 12. Const. 1848, Art. V, Sec. 17.
 13. Ibid., sec. 19; L. 1849, p. 65, 66.
 14. Const. 1848, Art. V, Sec. 19; L. 1849, p. 63.
 15. Const. 1848, Art. VII, sec. 6.
 16. The original enabling act of 1849 (L. 1849, p. 190-224) was repealed two years later by a more comprehensive but essentially similar law (L. 1851, p. 35-78).
 17. Other effects of the change, within the sphere of county government proper, appear with regard to the taxation procedure. See Finances p. 55.
 18. Const. 1848, Art. VII, sec. 6; L. 1851, p. 38, 50-52; Const. 1870, Art. X, sec. 5. Township organization was adopted by Cass County in 1923, but the change did not become effective until 1924.
 19. L. 1849, p. 203; L. 1851, p. 52.

GOVERNMENTAL ORGANIZATION OF CASS COUNTY, 1941



- (a) County Board composed of Town Supervisors, elected one in each township.
 (b) Composed of two appointees of County Judge and chairman of County Board acting ex officio as chairman of Board of Review.
 (c) Serves until successor is appointed, see Farm Bureau, Chapter XX.
 (d) Serves until successor is appointed, see Home Bureau, Chapter XXI.
 (e) Serves until successor is appointed.

LEGEND



Constitutional Office or Body



Statutory Office or Body

----- Shows ex officio relationship

officer, the county clerk, whose office had been created and made elective, by the third constitution,²⁰ and who was required by law to act as ministerial officer for the county board.²¹ Another significant change in the form of the county board has been the addition to its membership of assistant supervisors, elected from the various towns on the basis of population;²² the assistant supervisors have no powers or duties as town officers, but are members of the county board and as such enjoy the same powers and rights as other members.²³

The Constitution of 1870 also provided a new form of county board in counties not under the township organization. This board was to be composed of three officers, styled commissioners, who would transact all county business as provided by law.²⁴ Subsequent legislation granted to the board of county commissioners all powers and duties formerly exercised by the county court when acting in its administrative capacity.²⁵ Cass County was under the county commission form of government from 1873 to 1924 when township organization was instituted.

Concurrent with the changing organization of the county board is an expansion of its functions, without, however, considerable extension beyond the original jurisdiction conferred upon the county commissioners' court. The authority of that body extended to the imposition and regulation of taxes,²⁶ a limited but increasing management of county property,²⁷ and a growing fiscal control, stringent in regard to tax collections,²⁸ sporadic in its check on the expenditures of other county offices.²⁹ The court additionally had power to appoint judges of election,³⁰ select juries,³¹ and, with limitations, to provide for the construction and maintenance of roads and bridges.³² Poor relief³³

20. Const. 1870, Art. X, sec. 8.

21. R. S. 1874, p. 322.

22. Ibid., p. 1080; L. 1925, p. 605; L. 1929, p. 774; L. 1931, p. 905-10; L. 1933, p. 1115, 1116.

23. R. S. 1874, p. 1080.

24. Const. 1870, Art. X, sec. 6.

25. L. 1873-74, p. 79.

26. L. 1819, p. 175.

27. Ibid., p. 237, 238; L. 1842-43, p. 128.

28. L. 1819, p. 238, 318; L. 1823, p. 208; R. L. 1827, p. 373, 375; R. L. 1829, p. 121; L. 1842-43, p. 112; L. 1845, p. 11, 12.

29. R. L. 1827, p. 266; L. 1831, p. 175.

30. L. 1819, p. 90.

31. Ibid., p. 255; L. 1823, p. 182.

32. Either by calling on the able-bodied men of the county for labor, or by raising bond issues by subscription (L. 1819, p. 333, 334, 336, 337, 343; L. 1821, p. 167; L. 1825, p. 130-33).

33. L. 1819, p. 127; L. 1839, p. 138, 139.

and a tentative supervision of education³⁴ also fell within its general administrative jurisdiction.

The effect of subsequent legislation, in the main, has only been to broaden that jurisdiction. The county board has been given full power to purchase, contract for, dispose of, and make regulations concerning all real and personal property of the county.³⁵ It is now required also to audit all claims against the county and the accounts of such offices as were not provided for by law.³⁶ Otherwise, the changes in form of the county board in Cass County have not materially affected the general administrative jurisdiction of that body.³⁷

Finances

In Illinois counties, there has always been a close relationship between the taxation processes and fiscal control. This circumstance, as well as frequent evidence of the county board's ultimate control in such matters, appears in a resume of the legal status and duties of the officers involved.

Taxation

The assessment function in taxation was delegated by the first General Assembly to the county treasurer, a statutory officer appointed by the county commissioners' court.³⁸ The administrative body, within statutory limits, fixed the amount of the levy, while, the value of many categories of real and personal property was fixed by law; however, a limited discretion was left to the assessing officer.³⁹ In 1825, assessments were made by the county assessor, also an appointee of the county commissioners' court.⁴⁰ This duty reverted to the county treasurer in 1827⁴¹ and continued to be vested in that office until 1839, when the General Assembly provided for the appointment by the county commissioners' court of district

34. R. S. 1845, p. 500, 501.

35. L. 1849, p. 202; L. 1851, p. 50, 51; L. 1861, p. 235, 236; R. S. 1874, p. 306, 307; L. 1911 p. 245, 246; L. 1923, p. 304, 305; L. 1937, p. 453, 454.

36. L. 1849, p. 202; L. 1851, p. 51; R. S. 1874, p. 307; L. 1923, p. 299.

37. Cf. this running summary with R. S. 1874, p. 306, 307; and Ill. Rev. Stat. 1939, p. 942-44.

38. L. 1819, p. 315.

39. Ibid., p. 313, 319; L. 1825, p. 173; L. 1839, p. 4-6; L. 1840, p. 4; L. 1845, p. 6.

40. L. 1825, p. 173.

41. R. L. 1827, p. 330.

assessors, not to exceed one in every justice's district.⁴² The earlier system was reestablished in 1844, with the treasurer, however, now having the status, ex-officio of county assessor.⁴³ Since 1924, the date of the institution of township organization in Cass County, the assessment function has been performed on the lower governmental level by town assessors, elected one in each township.⁴⁴ Today, the principal duties of the assessing officers, taken together, are to bring up to date each year the periodic assessment of real property, to take current lists of and appraise personal property and special categories of other property.⁴⁵ The treasurer now has the status ex-officio of supervisor of assessments.⁴⁶

Before the creation of a board of review, the functions which today fall within its scope were performed, in substance by various officers. In the first constitutional period it was left to interested individuals or parties to report property omitted from assessment; the county commissioners' court could hear appeals from assessments but there was no provision for their equalization by districts.⁴⁷ In 1849 it was provided that appeals were to be made to the county court.⁴⁸ After the institution of the commission form of county government in 1873, the board of county commissioners heard all appeals.⁴⁹ The county board was required to meet annually to assess omitted property, review assessments upon complaint, and equalize valuations between districts.⁵⁰ In 1898 the board of county commissioners became, ex officio, the board of review.⁵¹ However, since the institution of township organization in 1924, the board has consisted of the chairman of the county board as chairman ex officio of the board of review, and two citizens appointed by the county judge.⁵² The members of the board select their own clerk.⁵³

The collection function was originally performed in all counties by the sheriff, an elected constitutional

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- 42. L. 1839, p. 4.
 - 43. L. 1843, p. 231; effective in 1844.
 - 44. L. 1849, p. 192; L. 1851, p. 38; L. 1871-72, p. 20-24.
 - 45. L. 1853, p. 16, 17; L. 1871-72, p. 11, 14, 15, 19, 23; L. 1873, p. 51; L. 1879, p. 241-45; L. 1881, p. 133, 134; L. 1885, p. 234; L. 1895, p. 300, 301; L. 1905, p. 360; L. 1915, p. 568; L. 1923, p. 495, 500; L. 1931-32, First Sp. Sess., p. 69.
 - 46. L. 1898, p. 36-44.
 - 47. L. 1819, p. 316; R. L. 1827, p. 330; L. 1839, p. 7; L. 1845, p. 8.
 - 48. L. 1849, p. 65.
 - 49. L. 1873-74, p. 79, 80.
 - 50. L. 1871-72, p. 21, 22, 24, 25.
 - 51. L. 1898, p. 46.
 - 52. L. 1923, p. 496; L. 1931-32, First Sp. Sess., p. 71, 72.
 - 53. L. 1923, p. 496, 497.

officer.⁵⁴ Its nature has changed little since that time. Essentially, the collecting officer collects taxes according to information originating outside his jurisdiction, pays over such sums to authorities designated by statute to receive them, and reports on payments of taxes and delinquencies.⁵⁵ In 1839, by a development analogous to that which occurred with regard to assessments, the county board's control was extended to enable it to appoint a separate county collector.⁵⁶ Soon after the law reverted to the earlier situation with the sheriff acting ex officio as collector.⁵⁷ This situation continued until the institution of township organization in 1924 when the county treasurer became, ex officio, county⁵⁸ and town collector.⁵⁹

Coordination of the taxation processes has always been effected by the county clerk or his predecessors. The assessment books are made out by the clerk, and returned to him by the assessors; similarly, the collector reports on collections on delinquent property; finally, the treasurer's receipts to the collector for taxes paid come into his possession, and the centralization of records concerning the basic taxation procedure is completed.⁶⁰

Fiscal Control

The fiduciary function in county finances is performed by the county treasurer alone. The duties of the office have remained substantially the same since its creation, namely: to receive, principally from the collectors of taxes, the revenue of the county; to have custody of its funds; and to disburse funds only on specific authorization by law, or in accordance with the order of the county board.⁶¹ Through this

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54. Const. 1818, Art. III, sec. 11; L. 1819, p. 316.
55. Ibid., p. 316-18; L. 1821 p. 182, 183; R.L. 1827, p. 332, 333; R. L. 1829, p. 121-23; L. 1831, p. 125; L. 1837, p. 194, 195; L. 1839, p. 7-12; L. 1843, p. 234; L. 1845, p. 11; L. 1847, p. 81; L. 1871-72, p. 55, 57, 58.
56. L. 1838-39, p. 7.
57. L. 1843, p. 234.
58. L. 1871-72, p. 3, 6.
59. L. 1917, p. 793. This provision affected counties with fewer than 100,000 inhabitants. The population of Cass County was 17,896 in 1920 and 16,537 in 1930. Population Bulletin, p. 8. According to the 1940 census, the population is 16,425.
60. L. 1819, p. 317; R. L. 1827, p. 373; L. 1837, p. 194, 195; L. 1839, p. 8-12; L. 1840, p. 3; L. 1845, p. 9, 11; L. 1853, p. 71, 111; L. 1871-72, p. 32, 34, 35, 46, 56-58; L. 1873-74, p. 51; L. 1911, p. 485; L. 1917, p. 654; L. 1919, p. 765; L. 1931, p. 747.
61. L. 1819, p. 315, 316; R. S. 1845, p. 138; L. 1861, p. 239; R. S. 1874, p. 323, 324.

last requirement, and that of the treasurer to report periodically to the board on the transactions of his office, in addition to his regular settlement with it, the lines of financial authority once more lead to the county board.⁶²

Administration of Justice

Courts

Justice, in Illinois counties, has been administered by a constantly increasing number of bodies. The Constitution of 1818 vested the judicial powers of the state in a Supreme Court and such inferior courts as the General Assembly should ordain and establish; required the Supreme Court justices to hold circuit courts in the several counties; and provided for the appointment, in such manner and with such powers and duties as the General Assembly should direct, of a competent number of justices of the peace in each county.⁶³

Federal statutes already allowed circuit courts in all states jurisdiction over the naturalization of aliens;⁶⁴ the first state legislature additionally conferred on the circuit court jurisdiction over all causes at common law and chancery and over all cases of treason, felony, and other crimes and misdemeanors.⁶⁵ The legislature further required that two terms of a circuit court be held in each county annually by one of the Supreme Court justices,⁶⁶ but in 1824 provision was made for the holding of circuit courts by separate circuit court judges, to be appointed, as were the Supreme Court justices by both branches of the General Assembly, and to hold office during good behavior.⁶⁷ In 1827 the General Assembly repealed the 1824 law, and again provided for circuit courts to be held by Supreme Court Justices.⁶⁸ At the next session of the legislature, when a new circuit was established, pro-

62. L. 1819, p. 318; L. 1837, Sp. Sess., p. 59, 60; L. 1845, p. 33; R. S. 1845, p. 138, 139; L. 1861, p. 239, 240; R. S. 1874, p. 323, 324.

63. Const. 1818, Art. IV, sec. 1, 4, 8.

64. 2 U. S. Stat. 153-55.

65. L. 1819, p. 380.

66. Ibid. p. 378.

67. L. 1824, p. 41. The Constitution of 1818, which had required that Supreme Court Justices be appointed by the General Assembly, further provided that they should not, after the first session of the legislature subsequent to January 1, 1824, hold circuit courts unless required to do so by law (Art. IV, sec. 4).

68. R. L. 1827, p. 118, 119.

vision was made for the appointment of a circuit judge to act therein.⁶⁹ At that time, therefore, the circuit courts were held by Supreme Court justices in four judicial circuits and by a circuit judge in the fifth.⁷⁰ A Change was made again in 1835, when power to hold circuit courts was taken away from the Supreme Court justices and provision was made for the appointment of five circuit judges, in addition to the one already authorized, to hold circuit courts.⁷¹ The six judicial circuits existing at that time were supplemented during the next few years by the creation of new circuits,⁷² so that they numbered nine in 1841 when the office of circuit judge was again abolished and the Supreme Court justices, also increased to nine were required to hold circuit court.⁷³ Then in 1849 another change was made in accordance with the second constitution which provided for the election of circuit judges by judicial district electorate.⁷⁴ This system has continued from that date until the present.⁷⁵

The authority of justices of the peace was limited by law to jurisdiction in specified civil cases and in misdemeanors, with appeals allowed from their judgments to the circuit court.⁷⁶ The power of appointment the legislature at first reserved to itself; ⁷⁷ in 1827, however, justices of the peace were required to be elected, two in each of such districts as should be determined within statutory limits by the county commissioners' court.⁷⁸

Jurisdiction over probate matters was at the outset delegated to the county commissioners' court.⁷⁹ By act of the next General Assembly, it was transferred to the court of probate,⁸⁰ consisting in each county of one judge appointed by the General Assembly.⁸¹ As a result

69. R. L. 1829, p. 38.

70. R. L. 1829, p. 42, 48.

71. L. 1835, p. 150.

72. L. 1837, p. 113; L. 1838-39, p. 155.

73. L. 1841, p. 173.

74. Const. 1848, Art. V. sec. 7, 15.

75. Const. 1870, Art. VI, sec. 13.

76. L. 1819, p. 185, 192, 195.

77. Ibid., p. 22.

78. R. L. 1827, p. 255, 256. Since 1821, however, the county commissioners' court had been required to establish such districts, which also constituted general election precincts (L. 1821, p. 74). For changes in the statutory limitations of this power, of the court, see R. L. 1827, p. 255 and R. L. 1829, p. 93.

79. L. 1819, p. 223-33.

80. L. 1821, p. 121.

81. Ibid., p. 119. The Constitution of 1818 (Art. IV, sec. 4) had also designated this manner of election for judges of all inferior courts.

of the substitution in 1837 of probate justices of the peace for the judges of probate,⁸² jurisdiction over probate matters for the first time was placed in the hands of elected officers.⁸³

The county court was the creation of the second constitution,⁸⁴ which also made circuit judges elected officers.⁸⁵ With regard to the new court, it was further provided by law that it should be held in each county by a single elected officer, the county judge.⁸⁶ Its authority extended to jurisdiction in all probate matters and to such jurisdiction in civil and criminal cases as might be conferred by the General Assembly.⁸⁷ In pursuance of this latter provision, the county court was first given the same civil and criminal jurisdiction as justices of the peace;⁸⁸ at the next session of the General Assembly, however, it was declared that county judges when exercising this jurisdiction, acted only in the capacity of justices of the peace.⁸⁹ Until the next constitutional period, the county court, as such, was given jurisdiction only in a limited number of special actions,⁹⁰ it was, however, considered entitled to equal jurisdiction with the circuit court over naturalization.⁹¹ In this same period, provision was made for increasing, on the basis of population, the number of justices of the peace to be elected in each district. In Cass County, and others similarly organized, one additional justice of the peace is now elected for every 1,000 inhabitants exceeding 2,000 inhabitants in each town.⁹²

Provision was first made by the Constitution of 1870 for the establishment by the General Assembly of an independent probate court in each county having a population of more than 50,000 inhabitants.⁹³ As first established by statute, the new courts were to be formed in counties of 100,000 or more inhabitants.⁹⁴ This popula-

82. L. 1837, p. 176,177.

83. The Constitution of 1818 (Art. IV, sec. 8) had reserved to the General Assembly the right to prescribe the manner of appointment of justices of the peace.

84. Const. 1848, Art. V, sec. 1,16.

85. Ibid., sec. 7,15.

86. Ibid., sec. 17.

87. Ibid., sec. 18.

88. L. 1849, p. 65.

89. L. 1849, Second Sess., p. 15.

90. L. 1849, p. 65,66; L. 1853, p. 103; L. 1861, p. 171,172.

91. 2 U. S. Stat. 155.

92. L. 1854, p. 30. No more than five justices, however, may be elected from any town or election precinct.

93. Art. VI, sec. 20.

94. L. 1877, p. 79,80.

tion requirement was lowered to 70,000 in 1881.⁹⁵ The population of Cass County not having reached this figure, jurisdiction over probate matters has continued to be vested in the county court in accordance with constitutional provision to that effect.⁹⁶ The county court, early in this period, was given concurrent jurisdiction with the circuit court in appeals from justices of the peace;⁹⁷ its original jurisdiction was extended to be equal with that of the circuit court in all that class of cases cognizable by justices of the peace⁹⁸ and involving in controversy sums not exceeding \$500.⁹⁹ In 1906, however, it lost its naturalization jurisdiction since it failed to meet the additional requirement of Federal legislation that it possess jurisdiction at law without limitation upon amounts in controversy.¹⁰⁰ The present constitution, also, for the first time, directed the manner in which the General Assembly should establish judicial circuits, requiring that circuits be formed of contiguous counties and that they should not exceed in number one circuit for every 100,000 of population of the states.¹⁰¹ At present there are eighteen circuits in Illinois, and Cass County is attached to the eighth circuit.¹⁰²

Clerks of Courts

The clerk of the circuit court under the Constitution of 1818, was to be appointed by a majority of the justices of that court.¹⁰³ Since 1849, however, by provisions of the constitutions of 1848 and 1870, the office has been filled by election.¹⁰⁴ The office of clerk of the county court, which was an independent elective office under the second constitution,¹⁰⁵ is now filled, ex officio, by the county clerk ¹⁰⁶ who is

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- 95. L. 1881, p. 72. In 1933, the act of 1877 was further amended to make the establishment of an independent probate court mandatory in counties having a population of 85,000 or more and optional in counties having a population of between 70,000 and 85,000 (L. 1933, p. 458).
 - 96. Const. 1870, Art. VI, sec. 18; L. 1877, p. 80; L. 1881, p. 72.
 - 97. R. S. 1874, p. 340; L. 1877, p. 77; L. 1895, p. 212, 223.
 - 98. The jurisdiction of justices has also been progressively increased during this period. See L. 1871-72, p. 524; L. 1895, p. 189, 190; L. 1917, p. 562, 563; L. 1929, p. 541, 542.
 - 99. L. 1871-72, p. 325.
 - 100. 34 U. S. Stat. 596.
 - 101. Const. 1870, Art. VI, sec. 13.
 - 102. L. 1933, p. 436.
 - 103. Art. IV, sec. 6.
 - 104. Const. 1848, Art. V, sec. 21, 29; Const. 1870, Art. X, sec. 8.
 - 105. Const. 1848, Art. V, sec. 19.
 - 106. R. S. 1874, p. 260.

also required by constitutional provision to be elected.¹⁰⁷ The county commissioners' court, which for a brief period held jurisdiction over probate matters, had its own clerk who was at that time appointed by the court.¹⁰⁸ Probate judges and justices of the peace who subsequently held probate jurisdiction, were required to act as their own clerks.¹⁰⁹ With the transfer of probate jurisdiction to the county court, the clerk of the county court was required to keep, separately, records of probate proceedings and business.¹¹⁰ In Cass County where the county court retains probate jurisdiction, the county clerk serves it in these matters in his capacity as clerk ex officio of the county court.¹¹¹ Justices of the peace have always been required to keep their records in person.¹¹²

Ministerial Officers

The principal ministerial officer of all courts of record in Illinois counties is the sheriff. The first constitution provided that the sheriff should be elected.¹¹³ Later, in 1827, statutory provision was made for the appointment of deputies by the principal officer; ¹¹⁴ since 1870, the number of deputies that the sheriff may appoint is determined by rule of the circuit court.¹¹⁵ The ministerial duties of the sheriff have undergone little change in more than one hundred years. Essentially he is to attend, in person or by deputy, all courts of record in the county, obeying the orders and directions of the court, and to serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.¹¹⁶

The coroner was originally given power equal with the sheriff as a ministerial officer of the courts.¹¹⁷ He was also required to serve all process in any suit in which the sheriff was an interested party ¹¹⁸ and to perform all the duties of the sheriff when that office

107. Const. 1870, Art. X, sec. 8.

108. L. 1819, p. 175.

109. L. 1821, p. 119, 120; L. 1837, p. 177, 178.

110. L. 1849, p. 66.

111. R. S. 1874, p. 260.

112. L. 1819, p. 185-97 (no specified record-keeping requirement listed among general duties of justices), 326 (establishing fees to be paid justices for keeping records); R. L. 1827, p. 260 (becomes definite provision for justices to keep own records); L. 1895, p. 221, 222.

113. Const. 1818, Art. III, sec. 11.

114. R. L. 1827, p. 373.

115. Const. 1870, Art. X sec. 9.

116. L. 1819, p. 111; R. S. 1874, p. 990, 991.

117. L. 1819, p. 111.

118. L. 1821, p. 20-33.

was vacant.¹¹⁹ The last two functions are still incumbent upon the coroner.¹²⁰

Justices of the peace are served similarly in a ministerial capacity by constables. Not until 1870 was the office of constable given constitutional recognition;¹²¹ at its creation by the first General Assembly, the county commissioners' court was empowered to appoint one or more constables in each township.¹²² In 1827 it was provided that two constables should be elected in each justice-of-the-peace district.¹²³ Since that date, subsequent legislation has grouped justices of the peace and constables in all provisions regarding their election.¹²⁴ Constables, like sheriffs and coroners, have always been required to serve and execute all process legally directed to them;¹²⁵ process issuing from a justice-of-the-peace court, however, may be directed only to some constable of the same county.¹²⁶

Prosecutions

The duty of the present state's attorney to prosecute and defend all actions, civil or criminal, involving the county, the people, or officers of the state or county,¹²⁷ was incumbent originally upon the circuit attorney.¹²⁸ In 1827 this officer was replaced by the state's attorney.¹²⁹ Also in effect from an early date is the officer's other major duty, apart from the enforcement of law,¹³⁰ of giving opinions on any questions of law relating to criminal or other

119. R. L. 1827, p. 372, 373.

120. R. S. 1874, p. 282. Despite the absence from the present law of statutory provision for the coroner to serve process originally directed to him (R. S. 1874, p. 281, 282), the courts have held that he may so do, an emergency being presumed to exist without need for the process to recite reason for its issuance to the coroner (20 Ill. 185; 57 Ill. 268).

121. Const. 1870, Art. VI, sec. 21.

122. L. 1819, p. 162.

123. R. L. 1827, p. 258.

124. See Courts, p. 58.

125. L. 1819, p. 162, 163; R. S. 1874, p. 400.

126. L. 1819, p. 186; R. S. 1845 p. 317; L. 1871-72, p. 525; L. 1895, p. 191, 193; L. 1937, p. 900. Similarly, process issuing from courts of record is required to be directed to the sheriff or, under certain conditions noted (footnotes 117, 118, and 119), to the coroner (R. S. 1845, p. 413; L. 1871-72, p. 338; L. 1907, p. 444, 445; L. 1933, p. 786; L. 1937, p. 989).

127. R. S. 1874, p. 173, 174.

128. L. 1819, p. 204; L. 1825, p. 178, 179.

129. R. L. 1827, p. 79, 80.

130. See Enforcement of Law, p. 65.

matters in which the people of the county may be concerned.¹³¹

The offices of circuit attorney and early state's attorney, which existed solely by statutory provision,¹³² were appointive by the Governor until 1835, ¹³³ and thereafter by the General Assembly.¹³⁴ The second constitution provided for an elected state's attorney;¹³⁵ since each judicial circuit was an elective district for this purpose, the territorial jurisdiction of the new officer remained the same as that of the former officer.¹³⁶ Not until the adoption of the present constitution was provision made for the election of a separate state's attorney in each county.¹³⁷

Inquests

The holding of inquests, one of the duties of the coroner in Illinois counties, is also a part of the administration of justice. The office of coroner was created by the first constitution and required to be filled by election;¹³⁸ the statutory provisions concerning the inquest function have not changed substantially since their enactment by the second General Assembly.¹³⁹ The coroner, when informed of the body of any person being found dead, supposedly by violence, casualty, or undue means, is required to summon a jury to inquire how, in what manner and by whom or what, death was caused; testimony of witnesses is taken; witnesses whose evidence implicates any person as the unlawful slayer of the deceased are bound over to the circuit court; the verdict of the jury is returned to the clerk of that court.¹⁴⁰

The verdict of the coroner's jury, however, is

131. R. S. 1845, p. 76; R. S. 1874, p. 174.

132. L. 1819, p. 204-6.

133. Ibid., p. 204.

134. L. 1835, p. 44.

135. Const. 1848, Art. V, sec. 21. The new Title, however, had already come into occasional use in the interim (R. L. 1827, p. 79,80; L. 1835, p. 18,19).

136. Const. 1848, Art. V, sec. 28.

137. Const. 1870, Art. VI, sec. 22.

138. Const. 1818, Art. III, sec. 11.

139. Cf. L. 1821, p. 22-24, R. S. 1845, p. 517,518; R. S. 1874, p. 282-84; Ill. Rev. Stat. 1939, p. 820-22.

140. L. 1821, p. 24,25; R. S. 1845, p. 518; R. S. 1874, p. 284; L. 1879, p. 82; L. 1907, p. 213; L. 1919, p. 403,404; L. 1931, p. 388,389.

not generally admissible in evidence;¹⁴¹ additionally, it is not held to be prima facie proof of matters stated therein with regard to the cause and manner of death; ¹⁴² its essential nature, therefore, is that of a finding of facts upon the basis of which the coroner may be led to discharge his collateral duty to apprehend and commit to jail any person implicated by the inquest as the unlawful slayer of the deceased.¹⁴³ To this extent, the coroner's inquest duties overlap his function as an officer for the enforcement of law.

Enforcement of Law

Sheriffs, coroners, and constables have always been charged equally with keeping the peace and apprehending all offenders against the law.¹⁴⁴ The state's attorney's powers as an officer for the enforcement of law originally arise by implication from another duty;¹⁴⁵ the gathering of evidence and the apprehension of offenders is necessarily involved in commencing and prosecuting actions in which the people of the state or county are concerned.¹⁴⁶ In relatively recent years, however, the state's attorney has been given more specific statutory powers to enforce laws and to investigate violations and secure necessary evidence thereof.¹⁴⁷ But at any time the effective spheres of authority of law enforcement officers have been determined less by statutory provisions than by local conditions and individual circumstances.

Elections

Elections were originally under control of the county commissioners' court.¹⁴⁸ It appointed three judges of election for each precinct, which at first consisted of an entire township.¹⁴⁹

When the Constitution of 1848 was adopted, the control of election officials remained in the county

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141. 46 N. W. 872. It is, however, held to be proper practice to offer, in cross-examining witnesses sought to be impeached, excerpts from transcripts of testimony taken at the inquest (189 Ill. App. 556; 211 Ill. App. 474).
142. 201 Ill. App. 287.
143. L. 1821, p. 25; R. S. 1845, p. 518; R. B. 1874, p. 283, 284.
144. L. 1819, p. 111, 162, 163; R. S. 1845, p. 515; R. S. 1874, p. 400.
145. See Prosecutions, p. 63.
146. L. 1819, p. 204; R. S. 1845, p. 76.
147. L. 1885, p. 3; L. 1907, p. 268; L. 1913 p. 395; L. 1915, p. 368; L. 1927, p. 33.
148. L. 1819, p. 90; R. L. 1829, p. 55.
149. L. 1819, p. 90, 91.

commissioners' court until the entire jurisdiction of that court was vested in the new administrative county court.¹⁵⁰ Little change was made during this constitutional period; the judges of election continued to be appointed by the county court or board doing county business and the clerks to be appointed by the judges. Even the event of registration¹⁵¹ and the new Constitution of 1870 brought but slight alteration in the main election procedure; county boards, whether made up of town supervisors or county commissioners still appointed the judges of election. However, in counties under township organization, these judges now had to be the town supervisor, assessor, and collector in the election district in which they resided.¹⁵² The judges continued to appoint the clerks.¹⁵³ The election board also became the board of registry.¹⁵⁴ Three judges of election and two clerks had been the rule, but in 1885 the number of clerks was increased to three.¹⁵⁵ By an amendment to the 1872 act in regard to elections,¹⁵⁶ only the town supervisor in counties so organized was required to be one of the judges of election in the district or precinct in which he resided.¹⁵⁷ The county board continued to appoint judges of election if they were not elected or appointed by election commissioners.¹⁵⁸

When a city, village or incorporated town adopted the city election law,¹⁵⁹ a marked change in procedure took place. This change called for the appointment by the county court of the county in which the city, village or incorporated town was located, of a board of election commissioners, composed of three members.¹⁶⁰ Names of proposed precinct election board members, both judges and clerks, were to be submitted by the board of election commissioners to the county court for appointment and approval,¹⁶¹ and upon approval they, like the commissioners, became officers of that court and liable in a proceeding for contempt for any misbehavior in their office.¹⁶²

In 1819, voting was by ballot, either printed (but not at public expense) or written.¹⁶³ Then in 1821, oral voting was introduced ¹⁶⁴ only to be soon replaced by a combination of the two methods in which the elector prepared his ballot, handed it to a judge of election and

150. L. 1849, p. 65.

151. L. 1865, p. 54.

152. L. 1871-72, p. 385.

153. *Ibid.*

154. L. 1873-74, p. 96.

155. L. 1885, p. 195.

156. L. 1872, p. 380.

157. L. 1903, p. 173.

158. L. 1905, p. 202; L. 1935-36, Fourth Sp. Sess., p. 28.

159. L. 1885, p. 142.

160. *Ibid.*, p. 147; L. 1899, p. 163.

161. L. 1885, p. 150, 151; L. 1899, p. 167.

162. L. 1885, p. 151; L. 1899, p. 107.

163. L. 1819, p. 93.

164. L. 1821, p. 73.

the judge read aloud the names of the persons voted for and the clerks recorded the vote.¹⁶⁵ Constitutional recognition of voting by ballot was given in 1848.¹⁶⁶ The constitution of 1870 provided for cumulative voting so as to enable minorities to have representation in the General Assembly.¹⁶⁷ The next great change was the introduction of the secret or Australian ballot, still in use today, and the printing and distribution of all ballots at public expense.¹⁶⁸ Voting machines were authorized in 1903.¹⁶⁹ Challengers and watchers for various candidates, were first permitted in 1927.¹⁷⁰

Registry of voters to prevent fraudulent voting was first required in 1865¹⁷¹ and absentee voting was also allowed to enable those in military service of the United States to vote by giving a power of attorney to a resident elector to cast the vote for the absentee.¹⁷² During the World War this was changed so that ballots were sent to the army officers, and soldiers, having chosen their election board, voted wherever they happened to be, but not less than five or more than twenty days prior to the general election day.¹⁷³ Absentee registration, however, did not come until 1927.¹⁷⁴ Permanent registration came nine years later,¹⁷⁵ and was intended to make the elector's registration permanent until his death or change of residence or change of name.¹⁷⁶ Registration is under the control of the county board, county clerk, and county court ¹⁷⁷ except in cities, villages, and incorporated towns which have adopted the election act.¹⁷⁸ In these cities, villages, and incorporated towns, registration is under the direction of a board of election commissioners as well as the county court.¹⁷⁹

Women were first allowed to vote in elections for school officials; ¹⁸⁰ 22 years later, in 1913, their voting power was enlarged to include elections for: presidential electors, members of the State Board of

165. R. L. 1829, p. 57; R. S. 1845, p. 217.

166. Const. 1848, Art. VI, sec. 2.

167. Const. 1870, Art. IV, sec. 7,8.

168. L. 1891, p. 108.

169. L. 1903, p. 178.

170. L. 1927, p. 443.

171. L. 1865, p. 54.

172. Ibid., p. 60.

173. L. 1917, p. 441.

174. L. 1927, p. 443.

175. L. 1936, Fourth Sp. Sess., v. 50-53.

176. Ibid.

177. L. 1865, p. 54,59; L. 1871-72, p. 385,390,391.

178. L. 1885, p. 147; L. 1936, Fourth Sp. Sess., p.50-53.

179. Ibid.

180. L. 1891, p. 135.

Equalization, clerk of the appellate court, county collector, county surveyor, members of the board of assessors, members of the board of review, sanitary district trustees, and all officers of cities and towns (except police magistrates) and on all questions and propositions submitted to a vote of the electors of such municipalities or other political divisions of this state. This franchise also extended to the following township officers; supervisor, town clerk, assessor, collector, and highway commissioners, and active participation in all town meetings.¹⁸¹ They had to meet the same requirements as men as to age, residence, and registration.¹⁸² General Suffrage was granted to women in 1921 ¹⁸³ in accordance with the Nineteenth Amendment to the Federal Constitution, which became effective on August 26, 1920.

Education

The act of Congress providing for the creation and admission of the state of Illinois to the Union set aside section sixteen of every township for the use of schools.¹⁸⁴ The first state legislation on the subject was concerned only with the establishment of school districts and the sale or leasing of school land to provide necessary funds, for which purposes three trustees of school lands were appointed in each township by the county commissioners' court.¹⁸⁵

In 1825, however, with a common school system in operation, provision was made for its education as well as financial administration. Three elected officers, known as township school trustees, were charged in each township with superintending schools, examining and employing teachers leasing all land belonging to the district, and reporting annually to the county commissioners' court; this report, however, was limited to such matters as were concerned in the financial administration of the schools.¹⁸⁶ In 1827 the county commissioners' court was again empowered to appoint trustees of school lands, but despite the use of the earlier, more limited title, these officers were charged with all the duties of a former township school trustee ¹⁸⁷ The creation of the office of county school commissioner in 1829 brought a new element into the complex situation. The commissioner was at first given limited duties with regard to the sale of school lands and the management of school funds;¹⁸⁸ his subsequent gains in this respect at the expense of the township

181. L. 1913, p. 333.

182. *Ibid.*

183. L. 1921, p. 430.

184. 3 U. S. Stat. 428.

185. L. 1819, p. 107, 108.

186. L. 1825, p. 121, 122.

187. R. S. 1827, p. 366-70.

188. R. L. 1829, p. 150-54.

trustees forshadowed the demarcation of spheres of authority that was made in 1847. 189 In the interim, the school commissioner, who had first been appointed by the county commissioners' court,¹⁹⁰ became an elected officer; 191 in such townships as elected to incorporate for the purpose of organizing and supporting schools, township trustees also became elected officers and were denominated trustees of the schools. 192

The situation created by the legislation of 1847 in certain respects has not since been substantially altered. In all **counties**, township trustees became, and are still, elected officers, styled township school trustees.¹⁹³ The relative authority of the county school commissioner¹⁹⁴ and of officers of the township with regard to financial administration was fixed essentially as at present. 195 However, township trustees lost practically all their former duties with regard to matters purely educational as a result of a development that occurred in 1845.

It was at that time that the county first entered into the actual administration of education with the passage of a law providing for a superintendent of schools.¹⁹⁶ Filled at first by the school commissioner in an ex-officio capacity, 197 it quickly absorbed most of the functions of township trustees with regard to the advancement of education, 198 later, the office came to be filled by election 199 and completely ab-

189. Cf. L. 1831, p. 176; L. 1841, p. 275-79.

190. R. L. 1829, p. 150.

191. L. 1841, p. 261, 262.

192. *Ibid.*, p. 273, 274. In unincorporated townships, trustees continued to be appointed by the county commissioners' court (*Ibid.*, p. 259, 260).

193. L. 1847, p. 126; L. 1909, p. 350.

194. The subsequent substitution of an independent elected superintendent of schools for the school commissioner who had additionally been ex officio superintendent (see footnotes 197, 199 and 200), was only a change in the legal status of the officer of the county and had no further import.

195. L. 1847, p. 123, 124, 128, 129; L. 1909, p. 351-54; L. 1927, p. 794, 795.

196. R. S. 1845, p. 498.

197. *Ibid.*

198. *Ibid.*, p. 497-503. Cf. L. 1825, p. 121, 122; R. L. 1827, p. 366-70; L. 1831, p. 173; L. 1841, p. 270, 275, 276, 279. The only duty of this category that was left to township trustees in the laws of 1847 concerned the examination of prospective teachers and the issuance of certificates where merited (L. 1847, p. 130).

199. L. 1865, p. 112.

sorbed that of school commissioner.²⁰⁰ In the new field of county administration of education, the superintendent's duties remained constant through his change in legal status, requiring him to visit all the townships in his county and inquire into the condition and manner of conducting their schools, to examine persons proposing to teach school, to grant certificates to persons qualified to teach in schools, and to report to the county board on all his acts relating to the management of school funds and lands. ²⁰¹ Subsequent legislation has enlarged the scope of this phase of the superintendent's functions, but it is in his role as an agent of state supervision that he has been charged with numerous duties of a new character.²⁰²

The authority of the state with regard to education, first manifested in 1845, has, like that of the county, been extended beyond its original bounds. Originally the county superintendent was required only to communicate to the State Superintendent of Common Schools²⁰³ information concerning the schools in his county.²⁰⁴ Today, as a consequence of the state's increasing intervention in matters of public health and safety, the county superintendent is required to inspect, with regard to specifications, plans submitted to him for the heating, ventilation, lighting, et cetera, of public school rooms and buildings; to visit and notice such public school buildings which appear to him to be unsafe, insanitary, or otherwise unfit for occupancy; and to request the State Department of Public Health,²⁰⁵ the state fire marshal, or the state architect to inspect such buildings and issue reports upon which condemnation proceedings can be based.²⁰⁶

Recordation

For the function of making legal record of written instruments, the first General Assembly established the office of recorder.²⁰⁷ Originally appointed by the Gov-

200. L. 1865 p. 112, 113.

201. R. S. 1845, p. 490-501. Cf. L. 1847, p. 121-25; L. 1857, p. 261-65, 278, 279, 296, 297; L. 1861, p. 190, 191; L. 1865, p. 114, 119-21.

202. L. 1909, p. 347-50; L. 1915, p. 636-38.

203. The Secretary of State in ex officio capacity (L. 1845, p. 52). In 1854, the office became independent, filled by election, and known as that of Superintendent of Public Instruction (L. 1854, p. 13), which is its present status (L. 1909, p. 343).

204. L. 1845, p. 54.

205. Prior to 1917, the rights, powers, and duties of this department were vested in the State Board of Health, abolished in that year (L. 1917, p. 4, 17, 27, 28).

206. L. 1915, p. 637-40.

207. L. 1819, p. 18-20.

ernor, 208 the recorder was required to be elected after 1835.²⁰⁹ The second constitution made the clerk of the circuit court, ²¹⁰ ex officio, recorder in all counties;²¹¹ the present constitution continued the earlier provision in counties of under 60,000 population and provided for the election of a recorder in counties of that population or more.²¹² As Cass County never met the population requirement the clerk of the circuit court has continued to fulfill the duties of recorder.

The basic duty of the recorder, to record at length and in the order of their receipt all instruments in writing, has remained essentially unchanged; legislation has been directed toward the extension of categories of instruments entitled to be recorded.²¹³ Conveyances of title to land, a major category of such records, frequently involve another county officer, the surveyor. Established by the second General Assembly, the office of surveyor was at first filled by appointment by that body,²¹⁴ later by election.²¹⁵ In 1936 the surveyor again became an appointed officer, with the power of appointment delegated to the county board. ²¹⁶ His duty to perform all surveys he may be called on to make within his county has undergone only minor change, but its importance has declined; the acts of any surveyor, properly acknowledged and certified, have equal standing before the law with those of the county surveyor; no maps or plats have any legal effect unless recorded by the recorder.²¹⁷

Public Works

Roads and Bridges

Public roads and bridges were first under the superintendence of the county commissioners' court which was authorized to locate new roads and alter or vacate existing roads.²¹⁸ The act providing for such superintendence empowered the commissioners to appoint freeholders in each township to act as supervisors, each appointment to be for a one-year period. New roads were to be opened by the county commissioners'

208. L. 1819, p. 19

209. L. 1835, p. 166.

210. An elected officer; see Clerks of Courts, p. 61.

211. Const. 1848, Art. V, sec. 19; L. 1849, p. 64.

212. Const. 1870, Art. X, sec. 8; R. S. 1874, p. 833.

213. L. 1819, p. 18-20; R. L. 1829, p. 117, 118; R. L. 1833, p. 511; R. S. 1845, p. 305, 431, 432, 606; L. 1851, p. 80; L. 1859, p. 124; L. 1869, p. 2; R. S. 1874, p. 833, 834; L. 1921, p. 756, 757; L. 1925, p. 520-22.

214. L. 1821, p. 62.

215. L. 1835, p. 166.

216. L. 1933, p. 1104. Provision effective in 1936

217. R. L. 1829, p. 173; R. L. 1833, p. 511; L. 1845, p. 201; L. 1869, p. 241, 242; R. S. 1874, p. 1050, 1051; L. 1901, p. 307, 308; L. 1915, p. 575.

218. L. 1819, p. 333.

court upon petition of residents of the county and a favorable report from the road viewers and surveyor. A few years later the county commissioners were authorized to divide the county into road districts and to appoint annually one supervisor to serve in each district.²¹⁹ With a change in the county administrative body under the second constitution, the county court was granted supervision and control over public roads,²²⁰ but the care and superintendence of roads and bridges in counties electing the township form of government were granted to the commissioners of highways, elected annually in each town. ²²¹ The commissioners divided the town into road districts, and overseers of highways in each district were to repair the roads and carry out orders of the commissioners. In counties not electing township organization, the original system of road districts and road supervisors was continued.²²² From 1849 to 1873 the county court exercised supervision, control, and maintenance of roads, highways, and bridges in Cass County. ²²³ However, upon the institution of the county commission form of government in 1873 this supervision was vested in the board of county commissioners.²²⁴ In 1913 the State Highway Department was established, and provision was made for the appointment by the county board of a county superintendent of highways.²²⁵ The entire system was centralized by subjecting the county superintendent to the rules and regulations of the state highway commissioner and by requiring candidates for county superintendent to be approved by the state commissioner before appointment by the county board. The term of office of the county superintendent was set at six years, and his salary was to be fixed by the county board. A board of highway commissioners was set up in each township to superintend matters relating to roads and bridges. Although the county superintendent was to act on behalf of the county in regard to roads and bridges and although he was subject to removal by the county board, he was regarded as a deputy of the state highway engineer subject to his directions. This indicates the intention of the legislature to unify the entire state system of roads and bridges. In 1917 the Department of Public Works and Buildings assumed the rights, powers, and duties vested in the State Highway Department,²²⁶ but the county organization has remained essentially the same since 1913.

219. L. 1825, p. 130.

220. L. 1849, p. 65; L. 1851, p. 179.

221. L. 1849, p. 212.

222. L. 1847, p. 111-13; L. 1849, p. 65, 212, 213; L. 1851, p. 64, 179.

223. L. 1847, p. 111-13; L. 1849, p. 65. Cass County adopted township organization in 1923, but the change did not become effective until 1924.

224. L. 1873-74, p. 79.

225. L. 1913, p. 521-25, 537-46.

226. L. 1913, p. 524, 525, 538, 542-44; L. 1917, p. 24; L. 1921, p. 780-86; L. 1933, p. 961.

Public Buildings

The county is given the power to hold, own, and convey real estate for county purposes.²²⁷ This power is exercised by the county board which is charged with the care and custody of all the real and personal property owned by the county. Throughout the period of statehood it has been provided that a courthouse and jail be erected in each county,²²⁸ and that the sheriff of each county be charged with custody of such buildings.²²⁹ The county is further empowered to erect buildings for a county hospital, workhouse, tuberculosis sanitarium, and other county needs.²³⁰

The county superintendent of schools is charged with the inspection of plans and specifications for public school rooms and buildings; and the approval of only those which comply with the specifications prepared by the State Superintendent of Public Instruction.²³¹ He is also to request the Department of Public Health,²³² the state fire marshal, or the state architect to inspect public school buildings which appear to be unsafe, insanitary, or unfit for occupancy. Upon receipt of an unfavorable report from these officials, the county superintendent is to condemn the building and notify the board of directors or board of education, and the board of school trustees.

Drainage

In 1850 an act of Congress provided for the granting of swamp and overflowed lands to various states.²³³ The land so granted to Illinois was turned over to the counties in 1852 to be reclaimed by drainage and used for county purposes.²³⁴ Such lands were to be under the care and superintendence of the county court which was to appoint a "Drainage Commissioner" to conduct the sales of such lands. The county surveyor was to prepare plats of the swamp lands and return such plats to the clerk of the county court, whereupon the court fixed the valuation upon each tract. The purchasers of these tracts were given a certificate by the drainage commissioner, and a deed was later executed by the county court. The court was to sell only enough swamp lands to insure reclamation of all such land, any balance to be granted to the several townships to be used for educational purposes. At the discretion of the county, such balance could also be used for the construction of roads or bridges, or for other public works.

227. R. S. 1874, p. 306.

228. L. 1819, p. 237, 238; R. S. 1845, p. 135; R. S. 1874, p. 307, 308.

229. R. L. 1827, p. 246, 247, 372; L. 1874, p. 990.

230. R. S. 1874, p. 307; L. 1909, p. 163; L. 1911, p. 246.

231. L. 1915, p. 637-40.

232. Created in 1917 to supplant the State Board of Health abolished in that year (L. 1917, p. 4,17,27).

233. 9 U. S. Stat. 519.

234. L. 1852, p. 178.

In 1865 the commissioners of highways in each town became ex officio boards of drainage commissioners.²³⁵ Where a proposed drain ran through more than one town the commissioners of all the towns affected made up the board of drainage commissioners.²³⁶ In 1879 drainage construction by special assessment was handled by the drainage commissioners, a body corporate and politic composed of commissioners of highways.²³⁷

Provision was first made for the organization of drainage districts for agricultural, sanitary, and mining purposes in 1879. Petitions were to be filed with the county clerk and hearings on the same were to be had before the county court. When the court found in favor of the petitioners, it appointed three disinterested persons as commissioners to lay out and construct the work. Petitions for the construction of drains to cost less than \$5,000 were to be presented to justices of the peace, if the petitioners so elected, and the commissioners of highways were to perform the duties of drainage commissioners in such cases.²³⁸ In 1885 this law was amended to include drains costing less than \$2,000 and provided for the appointment of three residents as commissioners.²³⁹

Public Services

Public Health

The State Department of Public Health, created in 1917,²⁴⁰ is charged with general supervision of the health and lives of the people of the state. In conformance with this legislative order it is empowered to supervise, aid, direct, and assist local health authorities or agencies in the administration of the health laws. Public health districts may be organized along subcounty lines with a board of health in each. The names of such districts are to be filed with the county clerk to complete their organization. Annually, each board of health certifies to the county clerk the rate of a public health tax to be levied in each district, the clerk being responsible for setting out the proper taxes upon the warrant books and transmitting them to the collector as provided for in regard to other taxes.²⁴¹

Control of the state health department over lodging houses, boarding houses, tavern, inns, and hotels is effected through the county clerk, the proprietors

235. L. 1865, p. 50.

236. L. 1867, p. 91, 92.

237. L. 1879, p. 142.

238. L. 1879, p. 120.

239. L. 1885, p. 130, 131.

240. L. 1917, p. 4.

241. Ibid., p. 27, 28, 763, 765, 767, 768.

of such establishments being required to file with the clerk an annual statement containing details as to sleeping accommodations for guests. ²⁴² The clerk is also required to report annually to the state health department the names and addresses of township officials.²⁴³

Mosquito abatement districts are organized upon petition to the county judge of the county in which such territory lies, such petitions being filed with the county clerk. If, after hearing, the county judge determines that the organization of a district is necessary, the question is submitted to the residents of the territory at a special election. The judges of election make return to the county judge, and the results are entered upon the records of the county court. A majority of the votes favoring it, a mosquito abatement district is thereupon organized.²⁴⁴

County officials also enter into the state's control of public swimming pools. When a representative of the State Department of Public Health finds conditions that warrant the closing of such a pool, the owner of the pool and the sheriff and state's attorney of the county are notified to that effect, it being the duty of these officers to enforce such notices.²⁴⁵

Vital Statistics

The State Department of Public Health has charge of registration of births, stillbirths, and deaths throughout the state.²⁴⁶ To effect proper control of this matter the state is divided into vital statistics registration districts which, in Cass County, were identical with the road districts until the institution of township form of government in 1924; ²⁴⁷ they are now identical with the townships. The township clerk acts as the local registrar in these districts and receives certificates of births and deaths occurring in the district. Burial permits are issued by the registrar and are later returned to him for filing.

The local registrar is required to deposit monthly with the county clerk a complete set of records of births, stillbirths, and deaths registered during the month, and the clerk is charged with binding and indexing, or recording and safekeeping of such records. The original certificates are sent monthly by the local registrars to the state health department which certifies annually to the county clerk the number of births, stillbirths, and deaths registered in the county.

242. L. 1901, p. 305.

243. L. 1923, p. 480.

244. L. 1927, p. 694.

245. L. 1931, p. 735, 736.

246. L. 1915, p. 660-70.

247. Township organization was adopted in Cass County in 1923, but did not become effective until 1924.

The county board is to appropriate money for the payment of the local registrar's fees. Such amounts are charges against the county, and the county clerk is required to issue warrants on the county treasurer for the amount of the fees payable to the registrars.

The county also enters into the enforcement phase of this matter. The state health department reports cases of violations of any provisions of the act relating to registration to the state's attorney who is to initiate and follow up court proceedings against violaters.

Since 1937 the county clerk has been required to keep a record of applications for marriage licenses, together with certificates showing that persons desiring to marry are free from venereal diseases.²⁴⁸ When a marriage has been performed the certificate of marriage together with license is returned to the county clerk, who is required to keep a registry of marriages, showing the date, names of the parties, and name and title of the official performing the ceremony.²⁴⁹

Public Assistance

Public assistance is administered through the services of the county department of public welfare, the county home, the examiner of the blind, the probation officers, the county clerk, and the county board.

The county department of public welfare is headed by a superintendent appointed by the county board after approval by the State Department of Public Welfare.²⁵⁰ He assists the state department in the operation of welfare plans and policies within the county and has charge of the administration of old age assistance.²⁵¹ In this latter regard the county department acts merely as the agent of the state department, investigating applicants and reporting results.

The county home is an establishment for the maintenance and care of indigents. Its management and finances are provided by the county board.²⁵² Blind assistance is administered in the county through appropriations by the county board together with state funds. An examiner of the blind, appointed by the county board, examines all applicants referred to him by the county clerk.²⁵³ The county court has jurisdiction in the

248. L. 1937, p. 908-11.

249. R. S. 1874, p. 696.

250. L. 1937, p. 451, 452.

251. L. 1935-36. First Sp. Sess. p. 54-61, 72; L. 1937, p. 265-70, 452.

252. L. 1935 p. 1057.

253. L. 1903, p. 138; L. 1915, p. 256, 257; L. 1935, p. 264, 265.

administration of the mothers' pension fund. A probation officer, an appointee of the court for this purpose, investigates and visits cases of indigent mothers who are entitled to benefit. 254

Coordination of Functions

From the foregoing discussion of functions of the county government it is apparent that the county plays a dual role, that of a body politic and that of an agent of the state. In its first capacity, the county, through its officials, is capable of suing and being sued, purchasing, holding, and selling property, making contracts, and raising revenue for its proper operation. As a state agent it fits into a state-wide program on various matters of public concern, acting under the supervision and control of the state and coordinating the activities of subcounty agencies and officials.

Coordination of the county activities is effected chiefly through the county clerk. An illustration of this is the part this official plays in the election procedure where there is no board of election commissioners.²⁵⁵ As ministerial officer of the county board he notifies the judges and clerks of elections of their appointment, supplies them with blanks and poll books, receives copies of registers of voters, issues notices of election, receives and preserves returns, canvasses votes with the assistance of two justices of the peace and retains the abstracts, transmits copies of election returns and abstracts of votes to the Secretary of State, and issues certificates of election. Where there is a board of election commissioners, most of the clerical work is done by the board; however, the county clerk completes the procedure by sending copies of election returns to the Secretary of State and issuing certificates of election.

Records System

County records in the State of Illinois have suffered from the lack of an adequate program of legislation designed to secure uniformity in recordation and to insure the proper care of those documents which have permanent value. However, from the inception of statehood, some effort has been made to coordinate the records systems of the several counties and to preserve their archives.

In attempting to establish state-wide uniformity among counties, the General Assembly has at times provided detailed descriptions of required records and in many instances has supplied the very forms to be used.

254. L. 1913, p. 127-30; L. 1915, p. 243-45; L. 1921, p. 162-64; L. 1935, p. 256-59.

255. See Elections, p. 65, for explanation of development and control of the election machinery.

Laws relating to the duties and powers of county officers usually contained some such provisions. Thus in 1819, the recorder of the county was ordered to supply "parchment or good large books, of royal or other large paper, well bound and covered" wherein to record all deeds and conveyances brought to him for that purpose. He was also to keep a fair book in which to enter every deed or writing to be recorded, noting the date, the parties, and the place where the lands were situated, such entries to be made according to priority of time.²⁵⁶ In 1833 he was required to keep an alphabetical index to each book,²⁵⁷ and by 1874 the General Assembly had prescribed a complete list of books to be kept in the office of the recorder, with a description of the contents of each, which list has been continued, substantially unchanged, to the present.²⁵⁸

In like manner, legislation was enacted prescribing records to be kept by the county clerk and his predecessors, acting in their several capacities,²⁵⁹ the clerk of the circuit court,²⁶⁰ the judge,²⁶¹ and justice of the probate court,²⁶² the coroner,²⁶³ the county superintendent of schools,²⁶⁴ the county surveyor,²⁶⁵ and the county treasurer.²⁶⁶

Description of records and forms to be used are frequently found in legislation pertaining to the holding of elections,²⁶⁷ assessments and the collection of revenue,²⁶⁸ the organization and maintenance of common schools,²⁶⁹ the registration of marriages,²⁷⁰ and the

- 256. L. 1819, p. 18,20.
- 257. R. L. 1833, p. 511.
- 258. R. S. 1874, p. 834.
- 259. L. 1849, p. 66,203; L. 1859, p. 92-94; L. 1865, p. 93; R. S. 1874, p. 261-65, 332; L. 1933, p. 293-95.
- 260. R. L. 1833, p. 152; R. S. 1845, p. 147; L. 1847, p. 70; L. 1849, p. 9; L. 1865 p. 93; R. S. 1874, p. 262, 263; L. 1933, p. 293,294.
- 261. R. L. 1829, p. 231.
- 262. R. S. 1845, p. 427,428.
- 263. R. L. 1833, p. 574; L. 1869, p. 104,105; R. S. 1874, p. 283.
- 264. L. 1849, p. 155,156; L. 1865, p. 120; L. 1909, p. 346, 348, 349.
- 265. R. L. 1829, p. 173; R. S. 1845, p. 524.
- 266. Ibid., p. 138; R. S. 1874, p. 323,324.
- 267. L. 1819, p. 92,94; R.L. 1827, p. 291,292; R.L. 1829, p. 59,60; L. 1845, p. 41,42; L. 1849, p. 73,74; L. 1865, p. 54,55; L. 1871-72, p. 386-89,391; L. 1885, p. 143, 148,173,176; L. 1937, p. 522-29,531-48.
- 268. R. L. 1827 p. 329-33; L. 1838-39, p. 4,5,7,8,12,13, 17; L. 1845,p. 6-9,12,14,15; L. 1849,p. 37,38, 124-126; L. 1851,p. 53,55,56; L. 1853,p. 17, 24,50,55, 77,78,111,112; L. 1871-72, p. 19,23,32,48,49,54.
- 269. L. 1825,p. 127; R. L. 1833,p. 563; L. 1841,p. 263, 270-72; L. 1845,p. 53,54,65-68; L. 1847,p. 121-23, 142-44; R. S. 1874, p. 950,957,958,964.
- 270. L. 1819, p. 27; R. L. 1827, p. 288,289; R. S. 1874, p. 694,695.

recording of vital statistics.²⁷¹

While there has been enacted much legislation prescribing the kind of records to be kept, only a few laws deal with the safeguarding and preservation of county archives. In 1819 the General Assembly directed the clerks of the circuit and county commissioners' courts to provide "a safe press or presses with locks and keys for the safe-keeping of the archives of their offices . . ." ²⁷² In 1843 the county commissioners' courts were authorized, and required whenever the finances of the county would justify the expenditure to erect a fireproof recorder's office at the county seat, or if the commissioners were of the opinion that any unappropriated room in their courthouse could be made fireproof, to make it so and house the office and records of the recorder there. At the discretion of the county commissioners' court, the provisions of this act might be deemed to apply to the offices of the clerks of the circuit and county commissioners' courts. ²⁷³ Similar in content but slightly different in wording is a later enactment in which the county commissioners' courts were authorized to "erect, build, and provide permanent fireproof rooms, houses or vaults, for the purpose of placing therein and preserving from injury, damage, loss, or destruction by fire, the records and documents of their respective counties." ²⁷⁴ The preservation of county archives has been greatly aided by an act to provide for the copying of old, worn-out records, ²⁷⁵ and by a law authorizing the transfer of county records having historic value to the Illinois State Historical Library, the Archives Division of the Illinois State Library, or to the State University at Urbana. ²⁷⁶ Provision is made in this act for the substitution of accurate copies of these documents if such action be deemed necessary. In 1907 the act was amended to include among the institutions to which old records might be sent, any historical society incorporated and located within a particular county. ²⁷⁷ Laws have also been enacted which provide for the restoration of certain classes of records destroyed by fire or other means. ²⁷⁸ In 1935 the General Assembly appropriated money for the construction of a fireproof building at Springfield for the purpose of storing therein the archives and records of the state. ²⁷⁹ The erection of this structure, the

271. L. 1842-43, p. 210-12; L. 1877, p. 209; L. 1901, p. 301-4; L. 1903, p. 315-18; L. 1915, p. 666,667.

272. L. 1819, p. 332.

273. L. 1842-43, p. 210.

274. L. 1845, p. 46.

275. L. 1871-72, p. 648,649.

276. L. 1897, p. 205; L. 1939, p. 693.

277. L. 1907, p. 375.

278. L. 1871-72, p. 649,650,652.

279. L. 1935, p. 138.

State Archives Building, has helped to make possible the inauguration of an intelligent, farsighted program for the preservation of papers and documents of historic value.

There are still serious omissions in legislation pertaining to recordation. For instance, Illinois has no law prescribing the kinds of inks to be used in keeping records. And, although laws have been enacted authorizing the provision of fireproof accommodations for county documents, they are permissive rather than mandatory in character. ²⁸⁰ Legislation enabling the destruction of worthless archives apparently is non-existent with the exception of laws relating to certain election papers. ²⁸¹ The enactment of legislation which would remedy these defects in the laws and continue the trend toward state-wide uniformity among counties would result in an intelligent, economical records system for the State of Illinois.

280. L. 1842-43, p. 210; L. 1845, p. 46.

281. L. 1861, p. 269; L. 1871-72, p. 389; L. 1885, p. 146, 193; L. 1891, p. 118, 119; L. 1917, p. 438, 443.

3. ROSTER OF COUNTY OFFICERS*

(Date after name of officer refers to date of commission unless otherwise stated)

County Commissioners' Court**

(The first county administrative body, from 1837 to 1849, which consisted of three elected commissioners)

Joshua P. Crow, Amos Bonney,	William J. Dehaven,
George Miller, August 1, 1837	August 2, 1841
Isaac C. Spence, Amos Bonney,	Robert Seeper,
Joshua P. Crow, August 7, 1838 ¹	August 1, 1843
Isaac C. Spence	Henry McHenry
August 5, 1839	January 9, 1843 ³
John C. Scott, Marcus Chandler,	
August 3, 1840 ²	

* This list was compiled from the following sources:

- A. Secretary of State. Index Department, Election Returns, Returns from County Clerk to Secretary of State. 1809-47, 78 volumes (1-78), third tier, bay 1; 1848-- , 53 file drawers (2-54) third tier, bay 2, State Archives Building, Springfield.
- B. Secretary of State. Executive Department, Certificates of Qualification. 1819-- , 22 file drawers (1-22), fourth tier, bay 5, State Archives Building, Springfield.
- C. (1) Secretary of State. Executive Department Official Records. List of Commissions issued to County Officers. 1809-1918, 5 volumes, fourth tier, bay 6, State Archives Building, Springfield.
(2) Secretary of State Executive Department Official Records, List of Commissions issued to County Officers. 1869-- 4 volumes, Room 208, Second Floor, Secretary of State's Office, Executive Department, State Capitol Building, Springfield.

Where state records are incomplete or missing, data are secured from county records; secondary sources are used only when state and county records are deficient or not available.

** Dates shown after commissioners' names indicate dates of election unless otherwise stated. By a law passed in 1837, the three county commissioners elected in 1838 were to draw lots marked one, two, and three years to determine length of term. Thereafter, until 1849, one commissioner was to be regularly elected each year to serve a three-year term. For length of term of other county board officers, see ch. I, County Board; for length of term of all other officers, see separate office essays.

1. Spence drew the one-year, Crow the two-year, and Bonney the three-year terms at a meeting September 4, 1838 (Commissioners' Court, v. 1, p. 32, in Supervisors' Minutes (Record), see entry 3).
2. Scott was elected for the regular three-year term. Chandler was elected for two years to fill an unexpired term, presumably that of Spence.
3. Recorded as commissioner (*ibid.*, p. 183); records do not show when he was elected or which commissioner he succeeded.

Jesse B. Pierce (Pearce),⁴
August 7, 1843
George B. Thompson,
August 5, 1844⁵
William McHenry,
August 4, 1845

Henry McHenry,
August 3, 1846
George H. Nolte,
August 2, 1847
William Armstrong,
August 7, 1848

County Court

(From 1849 until institution of commission form of government in 1873, county business was administered by the county judge and two associate justices acting as the county board)

James Shaw, county judge,
November 14, 1849,
William Taylor, Francis Arenz,
Associate justices,
November 6, 1849,
Jacob Ward, associate justice,
May 21, 1851
John A. Arenz, county judge,
December 2, 1853,
S. Paddock, Issac Epler,
associate justices,
November 22, 1853,
James N. Short, associate justice,
December 1, 1854
Christopher H. C. Haverclust,
county judge,

George W. Shawn, William McHenry,
associate justices,
November 24, 1857
Francis H. Rearick, county judge,
William McHenry, George W.
Shawn, associate justices,
November 25, 1861
John A. Arenz, county judge,
November 19, 1865,
Jennings G. Martin, Samuel
Smith, associate justices,
November 7, 1865 (elected)
Alex Huffman, county judge
November 23, 1869,
Francis H. Rearick, county
judge, March 1, 1872,
Andrew Struble, Jeptha Plaster
associate justices,
November 16, 1869

Board of County Commissioners*

(Beginning in 1873, administration of county business was lodged in this board of three elected commissioners until institution of township government in 1924)

William Campbell, Robert Feilden,
John Malone
November 4, 1873 (elected)⁶

William Campbell,
November 24, 1874

-
4. Recorded as "Pearce," September 15, 1843 (Commissioners' Record, v. 1, p. 212, in Supervisors' Minutes [Record], see entry 3).
 5. Recorded as taking oath and seat as commissioner, September 4, 1844 (ibid., p. 255). State records show that George B. Thompson and Amos Atwater were tied with 376 votes each at election, August 5, 1844.
 - * Under the provisions of the Const. of 1870 (Art. X sec. 6) the first three commissioners were to hold office for one, two, and three years, to be determined by lot; and every year thereafter one such officer was to be elected for a term of three years.
 6. Campbell drew the one-year, Feilden the two-year, and Malone the three-year terms, December 1, 1873 (County Court Record, v. D, p. 203, in Supervisors' Minutes [Record], see entry 3).

Board of County Commissioners (Cont.)

Luke Dunn,
November 10, 1875

James R. Crum,
November 23, 1876

Robert Clark,
December 1, 1877

Thomas Knight,
November 25, 1878

James R. Crum,
November 24, 1879

Louis C. Hackman,
December 1, 1880

Luke Dunn,
December 1, 1881

F. W. Gerdie,
December 1, 1882

Louis C. Hackman,
November 26, 1883

George A. Beard,
April 8, 1884
(elected)

Henry Garm,
December 1, 1884

William Buracker
December 7, 1885

Louis C. Hackman,
December 6, 1886

Henry Garm,
December 5, 1887

William Buracker (Buracker),
December 3, 1888

Pins Neff,
November 13, 1889

Oliver Decker
November 26, 1890

George W. Stout,
November 10, 1891

F. W. Korsmeyer,
November 29, 1892

Oliver Decker,
November 14, 1893

George W. Stout,
November 27, 1894

F. W. Korsmeyer,
November 20, 1895

Albert Krohe,
November 19, 1896

George W. Chittich,
November 16, 1897

Phillip N. Bailey,
November 29, 1898

Albert H. Krohe,
November 11, 1899

George W. Chittich,
November 27, 1900

Robert H. Armstrong,
November 29, 1901

H. A. Bridgman,
November 29, 1902

James R. Sligh,
June 9, 1903

George W. Stout,
November 10, 1903

William W. Dick,
November 26, 1904

Henry A. Bridgman,
November 23, 1905

John Brech,
November 26, 1906

John L. Marlin,
November 19, 1907

George F. Kuhlman,
November 23, 1908

Angus Taylor,
November 13, 1909

Robert H. Londen,
November 30, 1910

George F. Kuhlman,
November 28, 1911

William Roegge,
November 25, 1912

Robert H. Londen,
November 8, 1913

George F. Kuhlman,
November 18, 1914

William Roegge,
November 19, 1915

Robert H. Londen,
December 1, 1916

M. J. Palmer,
November 17, 1917

George Washington Armstrong,
November 22, 1918

Robert H. Londen,
November 11, 1919

E. H. Kloker,
November 19, 1920

George Washington Armstrong,
November 29, 1921

George F. Kuhlman,
November 21, 1922

Robert H. Londen,
November 16, 1923

County Board of Supervisors

The several township supervisors, one elected from each township, together with any additional and assistant supervisors elected upon proportional representation, make up

the membership of the county board of supervisors. Because these supervisors severally, are township officials and only as a group constitute the county board, they are not commissioned by the state as county officers and no data concerning them, from which a list could be compiled, are kept by the State. For the same reason, county board records too, are inadequate for the compilation of a complete and accurate list of supervisors. Therefore, due to these and other limitations, only those members mentioned in county board records in connection with the first recorded meeting of the first board of supervisors are included in this roster.

At a meeting of the board of county commissioners, November 17, 1923, the county clerk reported approval of township organization by a vote of 3,521 to 761 at the election held November 6, 1923.⁷ On December 17, 1923, the board appointed Jephtha Armstrong, John Broeker, and Joseph E. Edwards commissioners to divide the county into towns.⁸ Their report, presented to the board February 7, 1924, bound and named eleven towns as follows;⁹

Arenzville	Newmansville
Ashland	Panther Creek
Beardstown	Philadelphia
Bluff Springs	Sangamon Valley
Chandlerville	Virginia
Hagener	

The first meeting of the first board of supervisors was held April 14, 1924; the supervisors and townships each represented being as follows:¹⁰

<u>Supervisor</u>	<u>Township</u>
Alex Huffman	Arenzville
Nathan W. Wright	Ashland
William J. Jones	Beardstown
Mark White (Assistant)	Beardstown
Herman Green (Assistant)	Beardstown
Gus A. Carls	Bluff Springs
Jephtha Armstrong	Chandlerville
Henry Schneider	Hagener
C. J. Sprinkle	Newmansville
Lincoln Fielden	Panther Creek
F. C. Wallbaum	Philadelphia
John H. Taylor	Sangamon Valley
George W. Nisbet	Virginia

F. C. Wallbaum was elected permanent chairman.

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7. County Board Minutes, v. 5, p. 557, in Supervisors' Minutes (Record), see entry 3.
 8. Ibid., p. 559.
 9. Ibid., p. 583.
 10. Supervisors' Minutes (Record), v. 1, p. 1, see entry 3; names of townships taken from record of Officers Elected, v. 1, p. 3, see entry 51.

County Judges

James Shaw, November 14, 1849	Henry Phillips, November 26, 1890
John A. Arenz, December 2, 1853	November 9, 1894
Christopher H. C. Haverclust, November 24, 1857	John T. Robinson, November 28, 1898
Francis H. Rearick, November 25, 1861	Darius N. Walker, November 20, 1902
John A. Arenz, November 19, 1865	November 27, 1906
Alex Huffman, November 23, 1869	Charles A. E. Martin, November 30, 1910
Francis H. Rearick, March 1, 1872	November 18, 1914
John N. Savage, November 28, 1873	November 22, 1918
J. W. Rearick, December 1 1877	November 24, 1922
D. A. Walker, December 1, 1882	Lloyd M. McClure, April 16, 1926
December 6, 1886	November 16, 1926
	November 19, 1930
	November 17, 1934
	November 22, 1938

Probate Justices of the Peace

(In 1837 the judge of probate was succeeded by the probate justice of the peace who was in turn succeeded in 1849 by the county judge as judge ex officio of the probate court)

John S. Wilbourn, October 7, 1837	Henry E. Dummer, August 28, 1843
Joshua P. Crow, August 17, 1839	Halet Clark, November 15, 1847
Alexander Huffman, August 22, 1842	Henry E. Dummer, May 30, 1849

County Clerks

(Clerks of the county commissioners' court, county court, board of county commissioners, and county board of supervisors)

John W. Pratt, August 14, 1837 ¹¹ August 5, 1839 (elected) ¹²	William H. H. Carpenter, August 1, 1842 (elected) August 7, 1843 " June 3, 1845 ¹³
John W. Pratt, August 2, 1847 (elected)	Arthur M. Pendleton, December 1, 1898 December 5 1902

11. Took oath (Commissioners' Court, v. 1, p. 1, in Supervisors' Minutes (Record), see entry 3).
12. On June 8, 1842, Pratt resigned and was appointed clerk pro tem until his successor should be duly elected and qualified (ibid., p. 167).
13. Filed bond as clerk (ibid., p. 292).

County Clerks (cont.)

Edward R. Saunders,
October 11, 1847¹⁴
Lewis F. Saunders,
November 15, 1847¹⁵
November 14, 1849
December 2, 1853

Allen J. Hill,
November 24, 1857
November 25, 1861
November 29, 1865
November 23, 1869

James B. Black,
November 28, 1873
December 1, 1877

J. F. Robinson,
December 1, 1882
December 6, 1886
November 26, 1890
November 27, 1894

James C. Meade,
November 24, 1906
Louis O. Skiles,
November 30, 1910

Henry Jacobs,
November 18, 1914
November 22, 1918
November 21, 1922

Glen Petefish,
January 7, 1924
November 24, 1924
December 3, 1926

Joe B. Mullen,
November 28, 1930
Geo. D. Schultz¹⁶
December 3, 1934

Recorders

(In 1849 the circuit clerk became *ex officio*, recorder)

N. B. Thompson,
October 21, 1837
August 17, 1839

M. H. L. Schooley,
August 14, 1843
Levi L. Wood,
August 19, 1847

Circuit Court Clerks

(Prior to 1848 circuit court clerks
appointed by circuit judges)

Thomas R. Saunders,
September 4, 1848 (elected)

Sylvester Emmonds,
November 4, 1851
November 23, 1852

L. F. Saunders,
December 2, 1853

James Taylor,
November 14, 1856

Allen J. Hill,
November 24, 1857

Henry Phillips,
November 22, 1860

Allen J. Hill,
November 25, 1861

Finis E. Downing,
December 1, 1880
November 13, 1884
December 3, 1888

Henry F. Kors,
November 29, 1892
December 7, 1896

Adolph F. Sielschott,
November 30, 1900
November 29, 1904

-
14. Appointed vice Pratt deceased (Commissioners' Court, v. 1, p. 420, in Supervisors' Minutes [Record], see entry 3).
 15. Bond presented and approved (*ibid.*, p. 422).
 16. Shown as county clerk in Illinois Secretary of State, Official List of State and County Officers of Illinois, July 1, 1939, p. 8. Hereinafter referred to as Official List of County Officers.

Henry Phillips,
November 19, 1864
Carlin F. Diffenbacher,
November 19, 1868
Albert W. Arenz,
November 26, 1872
Thomas V. Finney,
November 22, 1876

Lee D. Springer,
December 7, 1908
November 25, 1912
December 8, 1916
Frank W. Finn,
December 3, 1920
November 26, 1924
November 30, 1928
December 1, 1932
December 4, 1936

Sheriffs

(Collectors to 1839 and 1844
to institution of township government in 1924)

Lemon Plasters,
October 21, 1837
September 5, 1838
John Savage,
August 3, 1840 (elected)
August 6, 1841
August 20, 1842
August 27, 1846
Joseph M. McLane,
August 17, 1848
John R. Fuls,
November 13, 1850
William Pitner,
November 17, 1852
James Taylor,
November 14, 1854
James A. Dick,
November 12, 1856
Francis H. Rearick,
November 18, 1858
James Taylor,
November 22, 1860
Charles E. Yeck,
November 20, 1862
James A. Dick,
November 19, 1864
Charles E. Yeck,
November 15, 1866
Thomas Chapman,
November 19, 1868
Horace Cowan,
November 19, 1870
George Volkmar,
November 26, 1872
William Epler,
November 24, 1874
A. H. Sielschott,
November 22, 1876

December 2, 1878
December 1, 1880
December 1, 1882
John Dirreen,
November 3, 1886,
December 6, 1886
John J. Beatty,
November 26, 1890
Louis W. Pilger,
November 27, 1894
Earnest P. Widmayer,
November 28, 1898
Fredrick E. Schweer,
November 28, 1902
James R. Sligh,
November 24, 1906
Earnest P. Widmayer,
November 30, 1910
Jas. R. Sligh,
November 18, 1914
George W. Farrer,
November 22, 1918
James R. Sligh,
November 21, 1922
Harold C. Farrar,
January 25, 1924
David C. Byrus,
November 24, 1924
Richard R. Jokisch,
November 22, 1926
Edwin F. Reichert,
November 24, 1930
G. H. Campbell,
November 26, 1934
Harry H. Hager,
November 19, 1938

Coroners

No state or county records 1837 M. H. L. School (Schooley),
Halsey Smith,
August 23, 1838
Joshua P. Crow,
September 9, 1839
Hugh Lusby,
April 18, 1840

John Dewelen,
August 10, 1840
Richard S. Cole,
August 6, 1842
James Logan,
August 21, 1844
August 27, 1846
James McNutt,
January 6, 1847
Jesse Crews,
August 23, 1848
Philo T. Norton,
November 13, 1850
James Rodaers
November 23, 1852
Alfred Casstellon
November 8, 1853 (elected)
Robert R. Ross,
November 14, 1854
John M. McConnell,
November 12, 1856
November 18, 1858
Thomas Elan,
November 20, 1860
November 20, 1862
November 19, 1864
November 23, 1866
November 19, 1868
November 19, 1870
David Clendenin,
November 29, 1872
Samuel Cook,
November 24, 1874
David Clendenin,
July 11, 1876
Dennis Burke,
November 23, 1876 (elected)

Anderson Thomas,
November 5, 1878
Dennis Burke,
November 24, 1879
William J. Bennett,
December 1, 1880,
December 1, 1882
Henry H. Turner,
December 1, 1884
Daniel Lyons,
December 3, 1888
Henry H. Turner,
November 29, 1892
Charles A. Feltman,
December 7, 1896
Charles H. Cummings,
November 30, 1900
November 26, 1904
November 23, 1908
George W. Farneycastle
December 14, 1911
November 25, 1912
Dr. Daniel Lyons,
December 1, 1916
George T. Saunders,
November 19, 1920
Edward Bailey,
November 4, 1924 (elected)
Charles H. Gersmeyer,
November 21, 1928
December 1, 1932
November 14, 1936

State's Attorneys

(Appointed by the General Assembly to 1849;
elected by circuit district electorate to 1872)

L. C. Chandler,
November 27, 1872
Arthur A. Leeper,
November 23, 1876
Reuben R. Hewitt,
November 23, 1880
November 18, 1884
December 3, 1888
November 29, 1892
Charles A. Schaeffer,
December 7, 1896
Charles A. Gridley,
November 30, 1900
November 29, 1904

A. T. Lucas,
November 27, 1908
November 25, 1912
Lloyd M. McLure,
December 1, 1916
November 2, 1920 (elected)
Lloyd M. McClure,
November 22, 1922
Myron E. Mills,
November 28, 1924
November 21, 1928
C. G. Colburn,¹⁷
December 1, 1932

17. Shown as State's attorney, July 1, 1939 in Official List of County Officers, p. 8.

Treasurers

(Assessors ex officio. to 1839 and 1844 to 1924;
supervisor of assessments 1924 to date; collector 1924 to date)

Thomas Wilbourne,	September 4, 1837	18	November 10, 1875
William Babb,	September 6, 1837	19	December 1, 1877
Isaac W. Overall,	December 16, 1837	(elected)	20
William W. Babb,	March 23, 1838	21	December 1, 1879
Stephen Lee,	May 12, 1838	22	John Rahn,
Isiah Pascal,	August 7, 1838	23	February 28, 1881 (elected)
William Scott,	October 9, 1838	24	December 1, 1881
Robert G. Gaines,	August 5, 1839	(elected)	Henry Quigg,
August 7, 1843	"		December 1, 1882
John Craig,	August 2, 1847	(elected)	Adolph H. Sielschott,
November 6, 1849	"		December 6, 1886
Martin F. Higgins,	November 4, 1851	(elected)	Henry Garn (Garm),
November 6, 1853	"		November 26, 1890
Phineas Underwood,	November 7, 1854	(elected)	John Beatty,
November 6, 1855	"		November 27, 1894
Franklin A. Hammer,	November 24, 1857	(elected)	Albert S. Coil,
David C. Dilly,	November 18, 1859	(elected)	November 28, 1898
November 5, 1861	"		Earnest P. Widmayer,
November 20, 1862	"		November 28, 1902
November 3, 1863	"		Fredrick E. Schweer,
November 7, 1865	"		November 24, 1906
November 5, 1867	"		James R. Sligh,
November 23, 1869	"		November 30, 1910
Phillip H. Bailey,	December 2, 1871	(elected)	Earnest P. Widmayer,
John L. Cire,	November 28, 1873	(elected)	November 18, 1914
			John Broeker,
			February 11, 1915
			James C. Meade,
			November 19, 1915
			James R. Sligh,
			November 22, 1918
			George W. Farrar,
			November 21, 1922
			Robert H. Garm,
			December 8, 1926
			Alfred A. Krobe,
			November 28, 1930
			G. A. Looman,
			December 3, 1934
			Leo Fitzgerald 25

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18. Bond accepted (Commissioners' Court, v. 1, p. 3, in Supervisors' Minutes (Record), see entry 3); resigned (ibid., p. 6).
 19. Appointed, vice Wilbourne (ibid.).
 20. Bond accepted conditionally January 10, 1838, account of his election contested by William Babb (ibid., p. 17).
 21. Bond accepted (ibid., p. 23).
 22. Appointed treasurer pro tem vice Babb, resigned (Commissioners' Court, v. 1, p. 25, in Supervisors' Minutes (Record), see entry 3.).
 23. County records do not show Pascal serving as treasurer between August 7 and October 9, 1838.
 24. Bond accepted (ibid., p. 34).
 25. Shown as treasurer, July 1, 1939 in Official List of County Officers, p. 8.

Superintendents of Schools
(School Commissioners to 1865)

Thomas Plasters, Jr., September 5, 1837 ²⁶	John Gore, November 28, 1873
Richard S. Thomas, August 2, 1841 (elected)	Allen J. Hill, December 1, 1877
August 5, 1845 "	December 9, 1881
August 2, 1847 "	Andrew L. Anderson, December 1, 1882
John B. Shaw, November 6, 1849 (elected)	Charles A. Schaeffer, December 6, 1886
November 4, 1851 "	November 26, 1890
November 8, 1853 "	John G. Pearn, November 27, 1894
November 6, 1855 "	Albert E. Hinners, November 28, 1898
November 24, 1857	November 28, 1902
Isaac W. Overall, November 18, 1859	Henry Jacobs, November 24, 1906
November 5, 1861 (elected)	November 30, 1910
Frank Hollinger, November 20, 1862	Walter E. Buck, November 18, 1914
November 3, 1863 (elected)	November 22, 1918
J. K. Vandemark (Vandemark), November 7, 1865 (elected)	November 21, 1922
James K. Van Demark (Vandemark), April 2, 1866	December 8, 1926
Harvey Tate, November 23, 1869	November 28, 1930
	June 5, 1935
	M. M. Cruft ²⁷

Surveyors
(Beginning September 1936,
Surveyor appointed by county board of supervisors)

William Holmes, November 6, 1837	Joseph T. Dunbar, December 31, 1861
Lawrence Clarke, August 22, 1838	Joseph W. Lawson, November 20, 1863
August 17, 1839	Joseph T. Dunbar, November 7, 1865
August 14, 1843	Henry Bovee, November 26, 1867
John M. Sweeny, August 19, 1847	Wm. E. McPherson, November 23, 1869
November 6, 1849	George Lippert, December 2, 1871
John Craig, November 10, 1851	Joseph L. Lynch, December 9, 1872
A. Castelow, December 2, 1853	Keeling Berry, November 10, 1875
John Craig, November 16, 1855	
Joseph Dunbar, November 3, 1857 (elected)	
James K. Vandemark, November 18, 1859	

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26. Appointed (Commissioners' Court, v. 1, p. 6, in Supervisors' Minutes (Record), see entry 3), and serving until election of his successor in 1841.
27. Shown as superintendent July 1, 1939, in Official List of County Officers, p. 8.

Surveyors (cont.)

Joseph S. Lynch,	Joseph Wilson,
December 1, 1879	November 3, 1908 (elected)
Joseph Wilson,	November 5, 1912 "
April 8, 1884 (elected)	Allen D. Millard,
November 4, 1884 "	December 1, 1916,
December 3, 1888 "	November 2, 1920 (elected)
November 29, 1892	November 4, 1924 "
November 3, 1896 (elected)	John Goodell,
John H. Goodell, Jr.,	November 6, 1928 (elected)
November 30, 1900	November 8, 1932 "
November 8, 1904 (elected)	A. D. Millard ²⁸

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28. Shown as surveyor July 1, 1939, in Official List of County Officers, p. 8.

4. HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

The present Cass County courthouse, in Virginia, was first occupied in 1875. This is the second courthouse erected in Virginia, but the third in the county, including one built in Beardstown when it was the county seat. All three of these courthouses were built by private citizens and donated to the county, and only the additions and improvements to the present building, made in 1891 and 1939-40, were financed by taxation.

The first county seat was located in Beardstown where a house was rented from Augustus Knapp (also Napp)¹ for \$25 a quarter to use for county offices until such time as a courthouse would be erected. One of the provisions of the law approved March 4, 1837, establishing and locating the seat of justice of Cass County in Beardstown was that this city should pay a sum of \$10,000 towards erection of the county buildings; and should it fail to comply with the law the county seat was to be removed to one of the towns' nearest to the center of the county provided a citizen or the citizens donated no less than fifteen acres of land for public buildings.²

There is no evidence in county board records that Beardstown complied with this law inasmuch as Virginia officially became the county seat May 1, 1839.³ Before this, Henry H. Hall, one of its public-spirited citizens, had donated fifteen acres of land as a site for public buildings,⁴ thus complying with the alternative condition of the law for the establishment of a county seat for Cass County. On April 14, 1838, the county commissioners appointed Henry Hall as their agent to dispose of all this land with the exception of three acres which was designated as the public square.⁵ The remaining twelve acres were divided into lots, and Hall was empowered to execute the deeds to the purchasers of the lots.⁶ Later he was given all

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1. Commissioners' Court, v. 1, p. 13, in Supervisors' Minutes (Record) see entry 3. This house was rented from Knapp from August, 1837, to March, 1839 (ibid., p. 13, 18, 26, 30, 36).
 2. L. 1837, p. 101. An Act approved July 1, 1837, specified that the payment of \$10,000 by Beardstown should be made in three equal installments over a period of three years (L. 1837, Sp. Sess., p. 48).
 3. L. 1838-39, p. 287.
 4. Commissioners' Court, v. 1, p. 47, in Supervisors' Minutes (Record), see entry 3.
 5. Ibid., p. 24, 25.
 6. Ibid.

these lots by the county in return for building the courthouse and jail.⁷ It is impossible to ascertain from the records the architectural style of this courthouse, but it was substantially built of brick and was two stories high. Furthermore, neither its cost nor the date of its completion can be ascertained, but on September 2, 1839, Hall notified the commissioners' court that the courthouse and jail were ready for acceptance.⁸ The only money expended by the county was \$170 for painting, contracted for with Joshua P. Crow on June 22, 1839,⁹ and \$8 allowed June 5, to G. Harris for painting windows and doors.¹⁰

The citizens of Beardstown did not approve the idea of losing the county seat and spared no efforts to regain the honor. The state legislature in 1843 helped Beardstown make a decisive effort to reopen the issue. An act was passed by the General Assembly, effective March 4, of that year, requiring an election to be held on the first Monday in September 1843 to decide the question of relocating the county seat.¹¹ The outcome was that Beardstown regained the honor of being the county seat.

County board records are silent as to the preparations that led to the removal of county offices back to Beardstown. The first mention of it is made on February 8, 1845, when Henry E. Drummsteter, Esq., appeared before the commissioners' court and submitted proof showing that Beardstown had fully complied with the provisions of the law.¹² He presented a deed from Thomas R. Saunders to the county for a parcel of land in Beardstown; a receipt for payment in full from B. W. Schneider, contractor, for building a courthouse on Lot 1, Block 31, in Beardstown; a receipt from Thomas Beard, contractor, for building a jail; and a certificate of sufficiency of the courthouse and jail issued by the Honorable Samuel D. Lockwood, presiding judge of the circuit court.¹³ This courthouse was a two-story brick building, built along Georgian lines. County offices were on the lower floor, while the courtroom and jury room were on the upper or second floor.

7. Ibid., p. 57.

8. Commissioners' Court, v. 1, p. 57, in Supervisors' Minutes (Record), see entry 3.

9. Ibid., p. 53.

10. Ibid., p. 50.

11. L. 1843, p. 102-4. A detailed account of the removal of the county seat from Virginia to Beardstown will be found in the Historical Sketch. see ch. 1.

12. L. 1843, p. 102-4.

13. Commissioners' Court, v. 1, p. 274, in Supervisors' Minutes (Record), see entry 3.

On July 14, 1845 the county leased the courthouse in Virginia to the trustees of school lands for one dollar for a period of ten years.¹⁴ Six years later, on petition of the "Inhabitants of Virginia and School District Number 1" it was deeded to the latter with the provision that the property revert to the county should it be used for other than school purposes.¹⁵

Beardstown's hold on the county seat remained precarious during the next twenty-five years: many attempts continued to be made to deprive her of the honor.¹⁶ The county board on March 8, 1856, contracted with Henry E. Drummer for the purchase of a lot adjoining the courthouse for \$750 on which to build a fireproof building for the safekeeping of records,¹⁷ and John A. Arenz was appointed commissioner to obtain by the June term a plan and specifications for a fireproof building, 40 feet square and 12 feet high.¹⁸ Drummer was paid the \$750 for the lot June 4,¹⁹ and Arenz submitted his plans and specifications and was ordered to invite proposals for material and labor June 11.²⁰ Arenz received \$36.25 for his plans and specifications,²¹ but board records do not reveal whether the office building was ever erected.

In 1872, an attempt against Beardstown's possession of the county seat finally met with success.²² Pursuant to an act of the General Assembly for relocating the county seat, approved March 15, 1872, ²³ R. W. Milk, on September 2, of the same year, presented a petition for removing the county seat to Virginia.²⁴ After some quibbling to decide whether the county court had jurisdiction in the matter, it was ordered to submit the question to the county electorate.²⁵ The election was held November 12, 1872, Virginia being the victor by a vote of 1,458 to 1,330.²⁶

14. Ibid., p. 308.
15. County Court Record, v. B, p. 100, in Supervisors' Minutes (Record), see entry 3; Deed Record, v. F, p. 402, see entry 76. The title to this property has not changed since the original recordation.
16. L. 1853, p. 152; L. 1857, p. 193; Priv. L. 1867, v. 1, p. 892.
17. County Court Record, v. B, p. 296, 297, in Supervisors' Minutes (Record), see entry 3.
18. Ibid., p. 297.
19. Ibid., p. 304.
20. Ibid., p. 305.
21. Ibid.
22. A full account of the return of the county seat to Virginia is contained in the Historical Sketch, see ch.1.
23. L. 1871-72, p. 309.
24. County Court Record, v. D, p. 123, in Supervisors' Minutes (Record), see entry 3.
25. Ibid., p. 126, 127, 130, 131.
26. Ibid., p. 140.

The outcome of the election resulted in protracted litigation, which finally ended when the county board, gathered at a special meeting held above the Farmers' National Bank in Virginia, ordered that "here-after the clerk of the county court shall have and keep his office and the records and papers thereof in the rooms at this time occupied by this Board until such time as the South West room of the courthouse in the public square in the City of Virginia shall be fitted and furnished suitably for the office of county clerk." 27 No official business was done by the county board until June 7, 1875, when the county board instructed the sheriff to remove without any delay the furniture in the courthouse in Beardstown and assist the circuit clerk in removal of all the books, papers, and records of the circuit clerk's office into the "upper room or courtroom" in Virginia until the southeast room of the lower story of the courthouse should be properly furnished. 28

When work on the erection of the courthouse in Virginia began, by whom it was built, or its final cost is not revealed in county board records, but it was paid for by Virginia and it was officially occupied in the summer of 1875. 29

This courthouse was built of brick along generous lines, two stories high with a mansard roof. It constitutes the center or main part of the structure as it stands today. It is located in the center of the public square, bounded on the north by Springfield Street, on the south by Beardstown Street, on the east by Main Street, and on the west by Front Street.

Two additions, one each on the east and west sides, containing fireproof vaults, were erected in 1891 at a cost of \$7,282.21. 30

27. Ibid., p. 287.
28. County Court Record, v. D, p. 289, in Supervisors' Minutes (Record), see entry 3. The courthouse in Beardstown was loaned to school district number 1 for school purposes September 4, 1876, until September 15, 1877. On June 8, 1877, the building and land was sold to the City of Beardstown for \$300 (ibid., p. 430,504).
29. On June 10, 1875, T. J. Kemper was allowed \$367.18 for "fitting up" county clerk's office (County Court Record, v. D, p. 292, in Supervisors' Minutes (Record), see entry 3; On June 19, Butler, Sandmyer and Co. were paid \$900 for two furnaces as per contract (ibid., p. 306); and T. J. Kemper was awarded a contract for \$350 "to fit up" circuit clerk's office (ibid.). At the September term, S. R. Yapee was allowed \$615 for furnishing the courtroom (ibid., p. 316) and Angler Wilson & Co. were allowed \$335.39 for ten boxes (ibid., p. 344).
30. County Board Record, v. F, p. 256,270,284, in Supervisors' Minutes (Record), see entry 3.

An addition, containing washrooms, was erected in 1913 on the east side of the courthouse at a cost of \$664. ³¹ In 1939 the courthouse interior was renovated and the wing on the west side enlarged at a cost in excess of \$20,000. ³² In the enlarged wing on the first floor is located the suite of the county clerk, and on the second floor the offices of the superintendent of highways and of schools.

The last addition, with its increased space, has done much to enhance the value of this building for governmental purposes. At the present time, the floor lay-out is well adapted both for carrying on county business and for record housing. (For floor plans of courthouse and arrangement of offices and vaults, see pages 103-5.)

Besides the offices and depositories in the courthouse, there are; the coroner's office, in the residence of C. H. Gersmeyer, coroner, 312 West Eighth Street, Beardstown, and the county home's, in the caretaker's quarters on the first floor of the county home at Bluff Springs, eight miles northwest from the courthouse.

Records are distributed among the offices and vaults in proportion to the frequency of their use. Thus, seventy-two percent of the files and only thirty percent of the record volumes are left in the offices. There are 1,402 record volumes in the vaults and 604 in the offices. Of the files, 381 are in the vaults and 983 in the offices. With the exception of one bundle stored in the circuit court vault, all miscellaneous records are found in various offices. (For allocation of records in the depositories according to county offices, as well as percentages of records stored therein, see charts on pages 99, 100; for detailed information concerning individual depositories with a description of facilities for the housing of records, see charts on pages 101, 102.)

Binding and repair of record volumes are under the direct supervision of the county board. The system of indexing and filing records follows practices generally adopted and employed in other counties in Illinois.

Unlike many counties in Illinois, Cass County began business with a complete set of record volumes

31. County Board Minutes, v. 4, p. 229, 272, in Supervisors' Minutes (Record), see entry 3.
32. Supervisors' Minutes, (Record) v. 6, p. 129, see entry 3. The contract for this work was let to Wessell and Sons on July 14, 1939, for the sum of \$18,350, but numerous extras brought the final figure to more than \$20,000 (Miscellaneous Record, v. F, p, 238, see entry 67).

prepared for any contingency that might occur. The cost was \$124.80.³³ Either to economize or to protect itself against promiscuous dissemination of illicit county orders, the county commissioners' court on March 10, 1842, ordered Henry H. Hall "to procure a suitable plate of steel or copper or some other metal for engraving notes to be issued as county warrants." ³⁴ An entry in the board record later says that T. R. Whitney was allowed \$100 June 6, 1842, for a steel plate for county warrants and the striking and printing of 5,000 impressions, and Henry H. Hall \$100 for advanced sum to Whitney.³⁵ John W. Pratt was authorized, December 29, 1843, to transcribe all deeds and sales of school lands situated in Cass County found of record in the recorder's office in Morgan County.³⁶ A part of Morgan County having been added to Cass county in the election held May 5, 1845, J. Lucas, recorder of Morgan County was allowed \$50, June 7, 1845, for the "privilege of transcribing the record of deeds and mortgages ³⁷ on record in Morgan County. . . and for his examining the transcript when made and certifying said transcript." ³⁸

From September 2, 1845 to April 1847, John W. Pratt was allowed \$605 for transcribing records in Morgan County,³⁹ and Samuel W. Lucas was paid \$80, in March 1847 for transcribing and indexing 160 deeds.⁴⁰ Three books of abstracts of land records were purchased from Henry Drummer for \$480 in 1866 and were deposited in the circuit clerk's office as a part of the public record.⁴¹ Then the circuit clerk, Henry Phillips, was employed August 7, 1865, to complete the index to this abstract beginning with about the year 1860. The amount paid him was five cents for every tract of land or lot entered, his work to be completed by August 7, 1866.⁴² These records cannot be located today and county board records do not reveal what happened to them. Always desirous of having important records as complete as possible, Cass County further purchased a book of plats and field notes or original surveys of lands in the county from F. N. Rearick, December 5, 1865, for the sum of \$107.⁴³

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33. Commissioners' Court, v. 1, p. 12, in Supervisors' Minutes (Record), see entry 3.
 34. Ibid., p. 161.
 35. Ibid., p. 162.
 36. Ibid., p. 232.
 37. See entry 79.
 38. Commissioners' Court, v. 1, p. 232, in Supervisors' Minutes (Record), see entry 3.
 39. Ibid., p. 316, 318, 345, 372, 391, 402.
 40. Ibid., p. 394.
 41. County Court Record, v. C, p. 222, 272, in Supervisors' Minutes (Record), see entry 3.
 42. Ibid., p. 226.
 43. Ibid., p. 248. See entry 254.

Cass County today is fortunate in having all of its most important records intact and in fair condition. The assessor's books ⁴⁴ are shown in this inventory as having several volumes missing from the series, but such gaps do not destroy the value of the remainder. Otherwise, all the required records are represented in the archives of Cass County.

44. See entry 22.

CHART OF COUNTY OFFICES, SHOWING PERCENTAGE OF RECORDS IN DEPOSITORIES

Office	Volumes	Files	Other	Depository and Percent of Records
County board	61	- - -	- - -	co. clk.'s off. 75.4; strm. bsmt. 24.6
County clerk	993	684 f.b.	- - -	co. clk.'s off. 26.5; treas.'s off. 5.8; strm. bsmt. 67.7
Recorder	324	9 f.b.	- - -	cir. clk.'s vlt. 99.7; co. clk.'s off. 0.3
County court	151	27 f.b.	- - -	co. clk.'s off. 44.3; strm. bsmt. 55.7
Probate court	169	187 f.b.	- - -	co. clk.'s off. 86.1; strm. bsmt. 13.9
Circuit court	200	372 f.b.	1 bdl.	cir. clk.'s vlt. 100
Sheriff	19	7 f.b.	- - -	sh.'s off. 60; strm. bsmt. 40
Coroner	3	- - -	- - -	cor.'s off. 66.7; co. clk.'s off. 33.3
State's attorney	2	- - -	- - -	off. of state's attorney 100
Supervisor of assessments	16	- - -	- - -	co. clk.'s off. 16.7; strm. bsmt. 83.3
Board of review	4	- - -	- - -	co. clk.'s off. 100

CHART OF COUNTY OFFICES, SHOWING PERCENTAGE OF RECORDS IN DEPOSITORIES

Office	Volumes	Files	Other	Depository and Percent of Records
Collector	14	- - -	- - -	treas.'s off. 50; treas.'s vlt. 28.9; sh.'s off. 21.1
Treasurer	15	- - -	- - -	treas.'s off. 43.7; treas.'s vlt. 43.7; strm. bsmt. 12.6
Superintendent of schools	30	42 f.b.	13 envelopes 2 pages	off. of supt. of sch. 100
Superintendent of highways	20	- - -	- - -	off. of supt. of hwy. 90; strm. bsmt. 10
Surveyor	2	- - -	- - -	co. clk.'s off. 100
Drainage commissioners	20	20 f.b.	- - -	co. clk.'s off. 100
Department of public welfare	1	6 f.b. 10 f.d.	- - -	cir. ct. chambers 100
County home	2	- - -	- - -	caretaker's quarters 100
Farm bureau	- - -	- - -	- - -	reports sent to State and Federal Departments of Agriculture
Home bureau	- - -	- - -	- - -	reports sent to State and Federal Departments of Agriculture

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION
 Cass County Courthouse, Public Square - Beardstown, Springfield, Main, and Front streets - Virginia
 (Two stories, basement, and attic: brick construction [1873-74]: 274,800 cubic feet)

Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			Housing & Accessibility	
							Type	Feet	Quantity	Volts.	Files		Other
County clerk's office	1st nw.	14x24x33	concrete	plaster	electric 3 windows	3 desks 2 tables 1 counter 6 chairs	steel	840	503	918 f.b.	- - -	- - -	good
Circuit clerk's vault	1st se.	14x20x21	concrete	plaster	electric 3 windows	1 counter 2 stools	steel	864	525	381 f.b.	1 bdl.	- - -	good
Sheriff's office	1st ne.	14x16x21	wood	plaster metal	electric 3 windows	1 counter 8 chairs	steel	33	14	7 f.b.	- - -	- - -	good
Treasurer's office	1st w.	14x22x32	wood	plaster metal	electric 3 windows	2 tables 1 desk 5 chairs	steel wood	50	73	- - -	- - -	- - -	good
Treasurer's vault	1st w.	14x20x16	concrete	plaster	electric 1 window	1 counter 2 stools	steel	1007	11	- - -	- - -	- - -	good
Office of state's attorney	2nd n.	14x14x16	wood	plaster	electric 2 windows	2 tables 8 chairs	- - -	- - -	2	- - -	- - -	- - -	good
Office of supt. of schools	2nd se.	14x19x16	wood	plaster	electric 2 windows	2 desks 1 table 6 chairs	steel wood	87	30	42 f.b.	13 envelopes	2 pages	good

(Cass County Courthouse cont.)

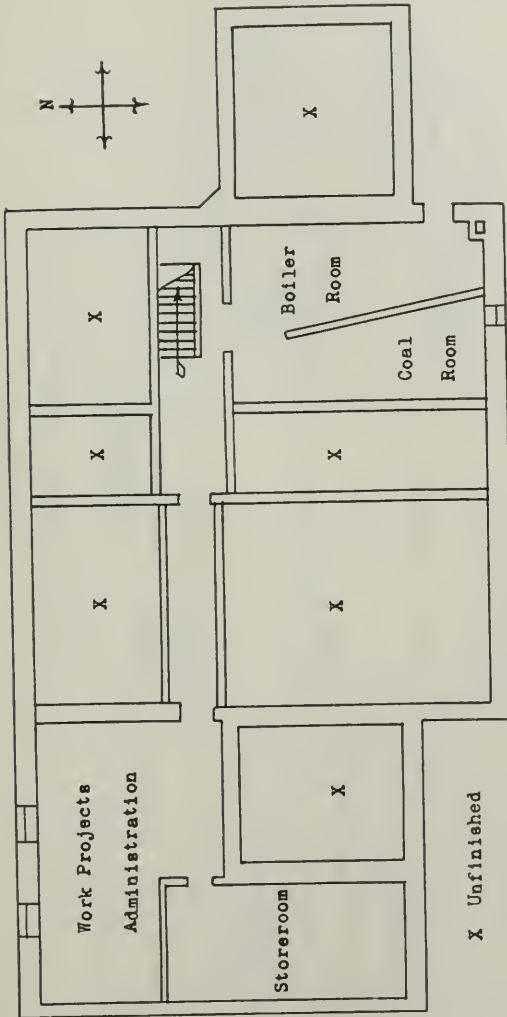
Depository	Floor Location	Dimensions	Floor	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			Housing & Accessibility
							Type	Feet	Vol.	Files	Other	
Office of supt. hwy's.	2nd nw.	14x15x16	wood	plaster	electric 1 win-dow	2 tables 4 chairs	- -	- -	18	- - -	- - -	good
Cir. court chambers	2nd e.	14x20x21	wood	plaster	electric 3 win-dows	3 desks 1 table 7 chairs	- -	- -	1	6 f.b. 10 f.d.	- - -	good
Storeroom	bsmt. se.	9x14x26	con-crete	brick con-crete	electric 1 win-dow	1 desk 1 chair	steel wood	420	865	- - -	- - -	good

Coroner's residence, 312 West Eighth Street, Beardstown
(One story and half; frame construction [1926])

Coroner's office	1st	10x14x15	wood	plaster	electric 2 win-dows	1 table 5 chairs	- -	- -	2	- - -	- - -	good
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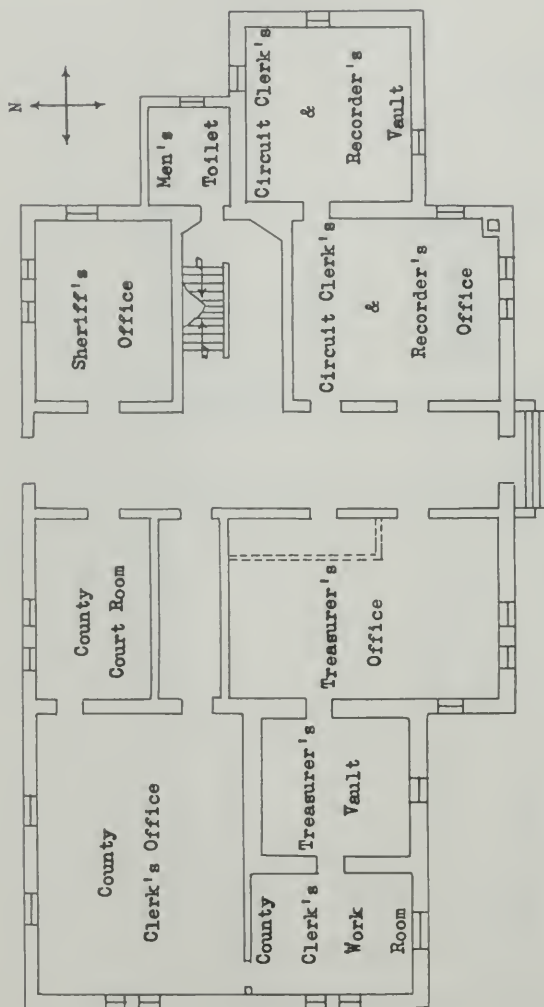
County Home, Bluff Springs, eight miles northwest of courthouse
(Two stories; frame construction [1899] : 89,100 cubic feet)

Caretaker's quarters	1st	10x16x16	wood	plaster	electric 2 win-dows	1 desk 6 chairs	- -	- -	2	- - -	- - -	good
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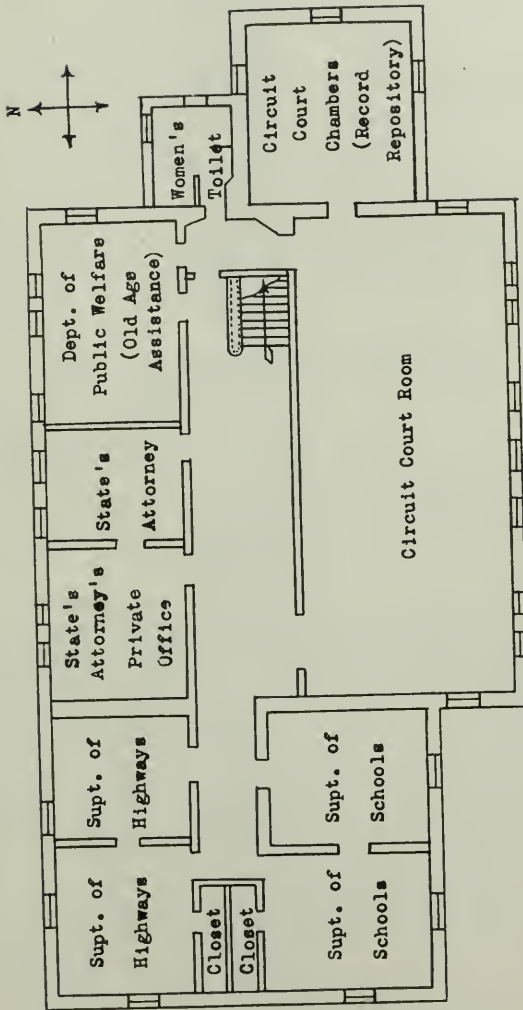
CASS COUNTY COURTHOUSE

Basement



CASS COUNTY COURTHOUSE

First Floor



CASS COUNTY COURTHOUSE

Second Floor

ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

alph.....	alphabetical(ly)
app.....	appendix
arr.....	arranged, arrangement
Art.....	Article
asasr....	assessor
atty.....	attorney
aud.....	auditor
bd.....	board
bdl.....	bundle(s)
bldg.....	building
bsmt.....	basement
cf.....	confer, compare
ch.....	chapter(s)
chron.....	chronological(ly)
cir.....	circuit
clk.....	clerk
co.....	county
coll.....	collector
comp.....	compiler
const.....	constitution
cont.....	continued
cor.....	coroner
ct.....	court
dept.....	department
ed.....	editor, edited, edition
f. b.....	file box(es)
f. d.	file drawer(s)
f., ff.....	and following(page, pages)
fl.....	floor
fm.....	form
ft.....	feet
gen.....	general
hdgs.....	headings
hdw.....	handwritten
hwys.....	highways
ibid.....	ibidem(in the same place)
idem.....	the same as mentioned above
i. e.	id est (that is)
Ill.....	Illinois Reports (Supreme Court)
Ill. App.....	Illinois Appellate Court (Reports)
Ill. Rev. Stat.	Illinois Revised Statutes (Smith-Hurd)
Ill. S. A.	Illinois Statutes Annotated
in.....	inch(es)
L.....	Laws (of Illinois)
n.....	footnote(s)
no(s).....	number(s)
N. W.	Northwestern Reporter
off.	Office
p.	page(s)
pr.....	printed
Priv. L.	private Laws (of Illinois)
pro.	probate
rec.....	recorder
R. L.	Revised Laws (of Illinois)
rm.....	room
R. S.	Revised Statutes (of Illinois)
sch.	school(s)
sec.	section(s)

sep.	separate
Sess.	Session
sh.	sheriff
Sp.	Special
strm.	storeroom
supt.	superintendent
surv.	surveyor
trans.	translator
treas.	treasurer
twp(s).	township(s)
U. S. R. S. , , , , ,	United States Revised Statutes
U. S. Stat.	United States Statutes at Large
v.	volume(s)
vet.	veterinarian
vice.	in place of
vlt.	vault
--	current

1. Despite inaccuracies in spelling and punctuation, titles of records are shown in the inventory proper exactly as on volume and file boxes. The current or most recent title is used as the title of the entry and title variation is indicated.

2. Explanatory additions to inadequate titles and corrections of erroneous titles are enclosed in parentheses and have initial capitals.

3. In the absence of titles, supplied titles are capitalized and enclosed in parentheses.

4. In the title line, letters or numbers in parentheses indicate the exact labeling on volumes or file boxes. If no labeling is indicated, it may be assumed that there is none.

5. Title-line cross references are used to show the continuity of a record series which has been kept separately for a period of time and with other records for different periods of time, as in entry 83, "1837-77, 1931-- in Deed Record, entry 76." They are also used in all artificial entries-- records which must be shown separately under their own proper office or section heading even though they are kept in files or records described elsewhere in the inventory, as in entry 2, "In (County Clerk's Miscellaneous Files), entry 66". In both instances, the description of the master entry shows the title and entry number of the record from which the cross reference is made, as for example, these words do in entry 76: "also contains . . . Tax Sheriff Deed, 1837-77, 1931-- , entry 83; . . ." Dates shown in the description of the master entry are only for the part or parts of the record contained therein, and are shown only when they vary from those of the master entry.

6. All dates used are inclusive.

7. When two or more types of containers are considered in a single entry, the quantity is shown in chronological order, insofar as possible.

8. The description of the contents of a record applies only to the current or most recent record unless change in contents is actually shown in a record entry.

9. Separate third-paragraph cross references from entry to entry and see also references with subject headings or subheadings are used to show prior, subsequent, or closely related records which are not parts of the same series.

10. Where no statement is made that the record was discontinued at the last date shown in the entry, it could not be definitely established that such was the case. Where no comment is made on the absence of prior, subsequent, or intermediate records no definite information could be obtained.

11. Unless the index is self-contained, an entry for the index immediately follows its record entry. Cross references are given for exceptions to this rule. All indexes to records, when otherwise stated, are self-contained.

12. Records may be assumed to be in good condition unless otherwise indicated.

13. On maps and plat records, the names of author, engraver, and publisher, and information on scale have been omitted only when this data was not ascertainable.

14. Unless otherwise specified, all records are located in the county courthouse. When all or the majority of the records of an office have a common location, the location is indicated in the last sentence of the office essay instead of in each individual entry.

B. COUNTY OFFICES
AND
THEIR RECORDS



I. COUNTY BOARD

In Illinois, the county board is that body which exercises the corporate or politic power of the county.¹ In Cass County since 1837² four bodies have successively acted as a county board, the county commissioners' court, the county court, the board of county commissioners, and the board of supervisors.

The Constitution of 1818 provided that there should be elected in each county, for the purpose of transacting all county business, three commissioners whose term of service, powers, and duties should be regulated and defined by law.³ The first General Assembly denominated the commissioners a court of record, styled the county commissioners' court.⁴ Four annual sessions were required to be held for six days each, unless the business should be completed sooner; additionally, any one of the commissioners had power, upon giving five days' notice to the remaining commissioners and the clerk of the court, to call a special court which had the same authority as at a regular session.⁵ The first commissioners were elected for an irregular term;⁶ subsequently, it was provided that they should be elected at each biennial general election;⁷ and by an act of 1837,⁸ the term was lengthened to three years and staggered, with one new commissioner elected annually.⁹ Thereafter, the commissioner who was longest in office was to be recognized as the presiding officer of the court.¹⁰ Compensation, originally

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1. R. L. 1827, p. 107; R. S. 1845, p. 130; R. S. 1874, p. 306.
 2. Cass County was created in March 1837, but was under the jurisdiction of Morgan County until its organization in August 1837 (L. 1837, p. 101, 102).
 3. Const. 1818, Schedule, sec. 41.
 4. L. 1819, p. 175.
 5. Ibid., p. 175, 176.
 6. Ibid., p. 100. The commissioners were to continue in office from the election held on the fourth Monday in April 1819, until the first Wednesday in August 1820, and until their successors were elected and qualified. Not until 1821 was provision made for the election of such successors (L. 1821, p. 80; effective in 1822).
 7. L. 1821, p. 80.
 8. L. 1837, p. 103, 104; effective in 1838.
 9. On August 1, 1837, a special election was held in Cass County (see footnote 2), at which time the first county commissioners were selected. These officers served until August 7, 1838, when the annual election procedure was instituted. To initiate the procedure, the three commissioners at a regular meeting of the county commissioners' court following election drew lots marked one, two, and three years to determine length of term.
 10. L. 1837, p. 104.

set at the sum of \$2.50 for each day's attendance in holding court, ¹¹ later was reduced to \$1.50.¹² In 1821, provision was made for the removal of commissioners for malfeasance or nonfeasance of duties, with proceedings as in criminal cases;¹³ when the first criminal code was enacted in 1827, the penalty was modified to a fine of not more than \$200 with removal from office only upon recommendation of the jury.¹⁴ Vacancies resulting from any cause were filled by special election upon order of the clerk of the court to the district judges of election.¹⁵

In 1848, when the State of Illinois adopted a new constitution, the county commissioners' court was discontinued. In its place, the constitution provided for an administrative body to be composed of an elected officer, the county judge, and such number of justices of the peace as should be required by law. ¹⁶ In the following legislative session, the General Assembly provided for the election of two justices of the peace to sit with the county judge to transact county business.¹⁷ Their term of office, like that of the county judge, was set at four years. ¹⁸ This body, styled the county court, was required to hold four sessions annually and, when so sitting, had all power, jurisdiction, and authority formerly conferred upon the county commissioners' court.¹⁹ The compensation of the county judge was originally set at \$2.50 for every day of holding court.²⁰ In 1855 the amount was increased to \$3.²¹

The new constitution also directed the General Assembly to provide, by general law, for a township organization under which any county might organize whenever a majority of the voters in the county should so determine.²² By provision of the subsequent enabling acts,²³ a board of supervisors, whose members were to be elected one in each town-

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11. L. 1819, p. 176.
 12. R. L. 1827, p. 205.
 13. L. 1821, p. 20. Conviction further carried disqualification from holding office for one year.
 14. R. L. 1827, p. 145.
 15. L. 1837, p. 104. No election was required to be held if the term of the commissioner vacating office would have expired within six months from the date of vacancy.
 16. Const. 1848, Art. V, sec. 16, 17, 19.
 17. L. 1849, p. 65, 66.
 18. Const. 1848, Art. V sec. 17; L. 1849, p. 62, 65, 66.
 19. Ibid., p. 65.
 20. Ibid., p. 63.
 21. L. 1855, p. 181.
 22. Const. 1848, Art. VII, sec. 6.
 23. L. 1849, p. 190-224; L. 1851, p. 35-78. The later law repealed and was a complete substitute for the earlier, but so far as their effect on the sphere of county government was concerned, there was almost no difference between the two.

ship annually,²⁴ was created to transact all county business in counties adopting township organization.²⁵ The board of supervisors was to meet for one regular session a year with the provision that special meetings might be held where necessary.²⁶ The board members were compensated at the rate of \$1.50 a day,²⁷ and a fine was provided in the sum of \$250 for refusal to perform, or neglect of, duties.²⁸

Throughout the second constitutional period Cass County was governed by a county court. In 1870, Illinois adopted a new constitution, which continued the provision for township organization in counties so electing,²⁹ and provided for a different form of county board to supplant the county court as an administrative body. This board was to consist of three officers, styled county commissioners, and, by subsequent legislation, was given all powers, jurisdiction, and authority formerly vested in the county court when acting in its administrative capacity.³⁰ Cass County was under the county commission form of government until 1924 when township organization was instituted.³¹

Since 1874, population has been a factor in local representation on the board of supervisors. In that year, each town or city, besides its regular supervisor, became entitled to one assistant supervisor if it had 4,000 or more inhabitants, two if 6,500 and one more for every additional 2,500.³² In 1931, these population requirements were made to affect only those counties having less than 100,000 inhabitants.³³ The differentiating figure was reduced in 1933 to 90,000;³⁴ however, in counties having a population of 90,000 or more, each

24. L. 1849, p. 192; L. 1851, p. 38.

25. L. 1849, p. 202-4; L. 1851, p. 50-52.

26. L. 1849, p. 202; L. 1851, p. 51. In 1861 it was provided that special meetings could be called upon request of one third of the members of the board (L. 1861, p. 236). Since 1899 the board has been required to hold two regular meetings (L. 1899, p. 363).

27. L. 1849, p. 203; L. 1851, p. 52. In 1861, compensation was increased to \$2. a day (L. 1861, p. 238).

28. L. 1849, p. 203; 204. This fine was reduced in 1851 to \$200 (L. 1851, p. 52). Subsequent legislation reduced it still further and added the more frequent penalty for misfeasance, disqualification for office R. S. 1874, p. 1080).

29. Const. 1870, Art. X, sec. 5.

30. Ibid., sec. 6; L. 1873-74, p. 79, 80.

31. Cass County adopted township organization in 1923, but the change did not become effective until 1924.

32. R. S. 1874, p. 1075.

33. L. 1931, p. 908.

34. L. 1933, p. 1116.

town or city was allowed one additional supervisor for every 5,000 inhabitants, or major fraction thereof.³⁵ Cass, with its population of 16,425 according to the 1940 census was not affected at either time.³⁶ The assistant supervisors, whose terms run concurrently with those of regular supervisors,³⁷ have no power or duties as town officers, but are members of the county board and enjoy the same powers and rights as other members.³⁸ At present its board of supervisors has thirteen members. The term of office of supervisors, lengthened in 1889 to two years,³⁹ was further extended in 1929 to four years.⁴⁰ Compensation was increased from \$1.50 to \$5 a day in 1919,⁴¹ lowered to \$4 in 1933,⁴² and raised again to \$5 in 1937,⁴³ with an allowance of five cents per mile for necessary travel.

The functions of the Illinois county board, in contrast to its legal status, have undergone little change since the beginning of statehood, the development being merely one of accretion and increasing complexity of duties within a well-defined and nearly static sphere of authority and jurisdiction. The law establishing the court of county commissioners conferred upon it jurisdiction in all matters concerning county revenue.⁴⁴ Of this basic provision, nearly all other statutory powers of the court can be considered extensions; some, enunciated in the same law, already show such a legislative viewpoint. The court was given power to regulate and impose the county tax, and to grant such licenses as might also bring in a revenue; additionally, it was given authority over all public roads, canals, turnpike roads, and toll bridges.⁴⁵ Other legislation by the first General Assembly gave the court power to buy and sell lots whereon to erect county buildings and to contract for construction;⁴⁶ later, in the case of the courthouse at least, the court was declared to have the care and custody of the property and the right to make certain disposition of it.⁴⁷ Care of the indigent was also made a function of the court; it was required to make appropriations, to be levied and collected in the same manner as other county revenue, for their support. As an extension

35. L. 1933, p. 1116; L. 1939, p. 1205, 1206.

36. Sixteenth Census: Final Population.

37. L. 1933, p. 1115.

38. R. 8. 1874, p. 1078, 1080; L. 1925, p. 605; L. 1929, p. 774; L. 1931, p. 905, 907; L. 1933, p. 1115.

39. L. 1889, p. 109; L. 1917, p. 793; L. 1925, p. 605.

40. L. 1929, p. 774, 775; L. 1931, p. 906.

41. L. 1849, p. 203; L. 1857, p. 186; L. 1871-72, p. 444; L. 1919, p. 569.

42. L. 1933, p. 615.

43. L. 1937, p. 601.

44. L. 1819, p. 175.

45. Ibid.

46. Ibid., p. 237, 238.

47. L. 1843, p. 128.

of this fiscal function, it was required to appoint an overseer of the poor in every township and establish a county poorhouse if necessary.⁴⁸ Fiscal control over school lands was exercised at first solely through the court's power of appointment of the trustees of school lands;⁴⁹ after the creation of the office of county school commissioner,⁵⁰ firmer control was effected through the medium of reports which the commissioner was required to submit to the court.⁵¹ The court also had authority to examine the full accounts of the commissioner.⁵² Other functions of the court were its duties in relation to elections and juries. It had authority to establish precincts,⁵³ to appoint judges of election,⁵⁴ and to allow compensation to officials for services and stationery.⁵⁵ Two panels each of petit and grand jurors were required to be selected. Petit jurors were required to be taxable inhabitants; only the grand jurors needed to be freeholders or householders.⁵⁶

The substitution of the county court for the county commissioners' court produced no important changes in the sphere of government; neither the second constitution nor the enabling legislation made any original pronouncements with regard to the powers or duties of the former.⁵⁷

The revised law on township organization, in the main, only made more inclusive and definite the powers of the board.⁵⁸ The board was given authority to purchase and hold any land within the county for the use of its inhabitants; it was also given authority to make such contracts, and to purchase and hold such personal property as might be necessary to the exercise of its powers; moreover, it could make such orders for the disposition, regulation, or use of the corporate property as might seem to be to the interest of the inhabitants.⁵⁹ Explicit also, was the authority to audit all claims against the county, and the accounts of such officers as were not otherwise provided for by

48. L. 1819, p. 127; L. 1839, p. 138, 139.

49. R. L. 1827, p. 266.

50. R. L. 1829, p. 150.

51. L. 1831, p. 175; R. S. 1845, p. 500, 501.

52. L. 1831, p. 175.

53. L. 1821, p. 74. There was in this law and in many of those following, a limit to the number of precincts which could be established. See L. 1826, p. 168; R. L. 1827, p. 256; R. L. 1829, p. 54; L. 1835, p. 141. Prior to 1821, each township was declared by statute to constitute an election district (L. 1819, p. 90).

54. L. 1819, p. 90.

55. Ibid., p. 99.

56. Ibid., p. 255; L. 1823, p. 182.

57. Const. 1848, Art. V, sec. 19; L. 1849, p. 65.

58. L. 1851, p. 35-78.

59. Ibid., p. 50.

law.⁶⁰ The board was also given power to appropriate funds for the construction of roads and bridges in any part of the county whenever a majority of the whole board might deem it proper and expedient.⁶¹

From the enabling legislation of the present constitutional period is drawn the following brief outline of the principal functions of the county board:

1. The purchase, sale, and custody of the real and personal property of the county.
2. The examination and settlement of accounts against the county.
3. The issuance of orders of the county treasury in pursuance of its fiscal administration.
4. The examination of accounts concerning the receipts and expenditures of county officers.⁶²
5. The supervision of elections;⁶³ the selection of juries;⁶⁴ the construction and maintenance of roads and bridges;⁶⁵ and care of the indigent, infirm, and disabled.⁶⁶
6. The appropriation of funds necessary to the effecting of its functions.⁶⁷ The raising of such sums through taxations; and in general, the management of county funds and county business.⁶⁸

At all times the county board has had a clerk who has served it in a ministerial capacity. The law creating the county commissioners' court provided that it should have such an officer, and gave it the power to appoint him.⁶⁹ This appointive power was rescinded in 1837 by an act which made the office elective.⁷⁰

When the county court supplanted the county commissioners' court, the office of clerk of the latter body ceased to exist. A new office was created by statute, that of clerk of the county court.⁷¹ When the court sat for the transaction of county business, its clerk was in effect a clerk of a county board; legal recognition of this distinction was given in the provision that the clerk should keep his records of the court's administrative actions separate from those of

60. Ibid., p. 51.

61. Ibid.

62. R. S. 1874, p. 306, 307.

63. Ibid., p. 456, 468.

64. Ibid., p. 630.

65. Ibid., p. 310.

66. Ibid., p. 757, 758.

67. Ibid., p. 307.

68. Ibid., p. 306, 307.

69. L. 1819, p. 175.

70. L. 1837, p. 49.

71. L. 1849, p. 63.

its judicial actions. For this purpose two sets of books were to be kept.⁷²

In 1870 the new constitution established the office of county clerk; ⁷³ subsequently, the General Assembly provided that the county clerk should act as clerk of the county board ⁷⁴ as well as clerk of the county court.⁷⁵ From that time to the present, the county board has been served in a ministerial capacity by this officer. The major record kept by the clerk for the county board is the minutes of its proceedings. This record includes orders to issue warrants on the county treasury; the board's action on committee reports on roads and bridges, relief for indigents and infirm, schools, taxation, etc.; and its orders in regard to juries, licenses, and other matters within its jurisdiction.⁷⁶

The clerk also keeps, separately, a register of orders issued on the county treasurer and lists of jury venire. He files and preserves all bills of accounts acted on by the board, and has custody of reports required to be made to the board by the county treasurer, various school bodies, and a number of other county officers.⁷⁷ An obligation to preserve a multiplicity of other records is clearly set forth in the general provision requiring the clerk to have the care and custody of all papers appertaining to, as well as filed in, his office.⁷⁸

General Index

1. INDEX TO FILES, 1837--. 1 v.

Index to (Supervisors' Files), entry 2; Cancelled Tax Sale Certificates of Purchase, entry 36; (County Clerk's Miscellaneous Files), entry 66; (Common and Criminal Law Case Files), entry 105; Paving Beardstown Districts, entry 111; (Probation Reports and Records), entry 125; Probate Files, entry 131, showing title and purpose of document, and case and file box numbers. Arr. alph. by title of document. Hdw. under pr. hdgs. 550 p. 18 x 12½ x 3. Co. clk.'s off., 1st fl.

72. Ibid., p. 66.

73. Const. 1870, Art. X, sec. 8.

74. R. S. 1874, p. 322.

75. Ibid., p. 260.

76. L. 1819, p. 6, 28, 77, 127, 334, 335, 352; R. L. 1829, p. 151-53; L. 1831, p. 89, 90; L. 1835, p. 131, 132, 136; L. 1839, p. 71, 72; R. S. 1845, p. 287, 342, 403, 437; L. 1849, p. 66; L. 1861, p. 234-37; R. S. 1874, p. 322.

77. R. L. 1927, p. 366; L. 1845, p. 169; R. S. 1845, p. 136; L. 1861, p. 237.

78. R. S. 1874, p. 322.

Proceedings of Board

2. (SUPERVISORS' FILES), 1837--. In (County Clerk's Miscellaneous Files), entry 66.

Documents involved in county board proceedings, consisting of mothers' and blind pension petitions and warrants; contracts and bonds of county physicians; reports of township and county officers; sheep claims; courthouse, county farm, and jail construction and improvement plans; petitions, bids, and contracts for county work; peddlers' and business licenses; grand and petit jury lists; cancelled county orders; reports of state auditor on settlement for taxes; reports of grand jury on condition of jail; resignations of county officers; sales of school and swamp lands; road labor lists; school district organizations and changes; school and road tax levies; ground-hog, wolf, fox, sparrow, and crow bounty warrants; county farm leases; and minutes of meetings of county board and school, road, and drainage district commissioners. No obvious arr. For index, see entry 1, Hdw. typed, and hdw. and typed on pr. fm.

For record of jury lists. 1935-- , see entry 67 (Xvi).

3. SUPERVISORS' MINUTES (Record), 1837--. 16v.
(1, B-G, 2-5, 1-5). Title varies: Commissioners' Court, v. 1, 1837-49; County Court Record, v. B-D, 1850-78; County Board Record, v. E-G, 1879-1900; County Board Minutes, v. 2-5, 1901-24.

Record of proceedings of county board, including minutes of meetings, communications, reports of committees, petitions, resolutions, reports of county officers, and approval of claims. Also contains Record of Road Plats 1837-72, 1879-99, entry 5; Record of Official Bonds, 1837-77, 1921-- , entry 63. Arr. by date of proceedings. 1837-60, 1870-78, 1896-1906, no index; 1861-69, 1879-95, 1907-- , indexed alph. by title of subject; for index to plats, see entry 6. 1837-1909, hdw.; 1910-- , typed. 478 - 562 p. 14 x 9½ x 2 - 19½ x 13 x 3. Co. clk.'s off., 1st fl.

4. COUNTY BOARD MINUTES, 1854-96. 8 v. (7 not labeled, 1). Title varies: Ledger, 1 v., 1854-61; Record, 2 v., 1862-72; Docket of County Board in County Business, 2 v., 1873-78.

Minutes of meetings of board of commissioners, showing date of meeting, names of commissioners and chairman of board, resolutions, county officers' reports, and action on claims. Arr. by date of meeting. No index. Hdw. 478 p. 14 x 9½ x 2. Co. clk.'s off., 1st fl.

5. RECORD OF ROAD PLATS, 1873-78. 1 v. 1837-72, 1879-99 in Supervisors' Minutes (Record), entry 3.

Plats of roads, showing legal description of area, locations and names of roads, waterways, and towns, name of surveyor, and date of survey. Arr. by twp. and range nos. For index, see entry 6. Draftsman: County surveyor. Hdw. and hand-drawn. 80 p. 17 x 14 x ½. Co. clk.'s off., 1st fl.

6. PLAT INDEX TO ROADS CASS COUNTY, 1837-99. 1 v. Index to road plats in Supervisors' Minutes (Record),

1837-72, 1879-99. entry 3, and to Record of Road Plats, 1873-78, entry 5, showing township and range numbers, and book and page of entry. Arr. by twp., sec., and range nos. Hdw. 100 p. 18 x 12 x $\frac{1}{2}$. Co. clk.'s off., 1st fl.

7. INDEX OR LIST OF NAMES OF PERSONS ENTITLED TO
COUNTY ORDERS, 1865-72. 1 v.

List of county employees, showing name and address of employee, position, and office. Arr. alph. by name of employee. No index. Hdw. under pr. hdgs. 200 p. 18 x 14 x 1. Strm., bsmt.

Disposition of Accounts
(See also entries 2, 7)

Register of County
Orders

8. REGISTER OF WARRANTS, 1837--. 14 v. (3 not labeled, C, 1 not labeled; A-1). Title varies: Day Book, 1 v., 1851-58; Register of County Orders Issued, v. C, 1864-74; Register of County Orders, 1 v., 1875-80, v. B, 1887-90

Register of all county warrants, including ground-hog warrants, 1907-24, and wolf-scalp warrants, 1905-24, showing date, number, amount, and purpose of warrant, name of recipient, fund debited, and date of cancellation. Also contains Dog License Fund Record, 1904--, entry 57. Arr. by warrant no. No index. 1837-58, hdw.; 1859--, hdw. under pr. hdgs. 200 - 580 p. 13 x 8 $\frac{1}{2}$ x 1 - 17 x 19 x 3. 4 v. not labeled, v. C, A-E, 1837-1918, strm., bsmt., v. F-I, 1919--, co. clk.'s off., 1st fl.

9. JURY WARRANTS, 1872--. 1. v. (1).

Register of jury warrants, showing date, number, and amount of warrant, number of days of service, names of juror and court, mileage, and dates of issue and cancellation. Arr. by warrant no. No index. Hdw. under pr. hdgs. 320 p. 18 x 12 x 2. Co. clk.'s off., 1st fl.

10. GROUND HOG AND WOLF WARRANTS (Register)
1925--. 1 v.

Register of wolf-scalp and ground-hog warrants, showing date, number, amount, and purpose of warrant, number of ground hogs or wolves killed, name of recipient, and acknowledgment of payment. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 200 p. 18 x 13 x 1. Co. clk.'s off., 1st fl.

11. WOLF SCALP RECORD (Register), 1894-1904. 1 v.

Register of wolf-scalp warrants, showing date, number, and amount of warrant, name and address of recipient, and number of wolves killed. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 300 p. 14 x 9 $\frac{1}{2}$ x 1 $\frac{1}{2}$. Strm., bsmt.

Cancelled County Orders

12. JUROR CERTIFICATES (Stubs). 1902--. 2 v.
Stubs of jurors' certificates, showing date, number,

and amount of certificate, name of juror, number of days of service, mileage, and name and number of case. Arr. by date of certificate. No index. Hdw. on pr. fm. 200 p. 18 x 12 x 1. Co. clk.'s off., 1st fl.

13. BIRTH WARRANTS, 1903--. 2 v.

Stubs of warrants issued in payment of birth reports, showing amount, date and number of warrant, name of registrar, and number of births reported. Arr. by date of warrant. No index. Hdw. on pr. fm. 200 p. 18 x 12 x 1. Co. clk.'s off., 1st fl.

14. COMMISSIONERS' CERTIFICATES INSANITY (Stubs), 1911--. 1 v.

Stubs of certificates issued in payment of insanity commissioners' services, showing date, number, and amount of certificate, names of commissioner and patient, and number of days of service. Arr. by date of certificate. No index. Hdw. on pr. fm. 400 p. 17 x 12 x 2. Co. clk.'s off., 1st fl.

15. (COUNTY WARRANT STUB BOOK), 1885-1914. 3 v. Missing; 1887-1910.

Stubs of county warrants, showing date, number, purpose, and amount of warrant, and name of recipient. Arr. by date of warrant. No index. Hdw. on pr. fm. 100 p. 17 x 14 x 1. Strm., bsmt.

Relief and Pension Funds

16. BLIND PENSION APPLICATION, 1915--. 2 v. Title varies: Record of Blind Benefits, 1 v., 1915-19.

Copies of blind relief applications, showing number and date of application, names and addresses of applicant and witnesses, examiner's certification, and date of approval. Arr. by date of application. Indexed alph. by name of applicant. Hdw. 536 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

17. RECORD OF BLIND BENEFITS, 1915--. 2 v. (1, 1 not labeled). Missing: 1920-23.

Record of benefits paid to blind, showing order number, name and address of applicant, date of application, action by board, result of examination, and amount of payment. Arr. by date of application. Indexed alph. by name of applicant. Hdw. on pr. fm. 100 - 160 p. 14 x 9½ x 1 - 18 x 13 x 1½. Co. clk.'s off., 1st fl.

18. COUNTY AGENTS RECORD, 1925-36. 1 v. Prior and subsequent records kept by the Illinois Emergency Relief Commission.

County agent's record of relief cases, showing date, amount, and purpose of relief given, amounts of monthly and yearly payments, name, age, birthplace, and residence of dependent, cause of dependency, and remarks. Arr. by date of application. Indexed alph. by name of dependent. Hdw. on pr. fm. 558 p. 18 x 18 x 2. Co. clk.'s off., 1st fl.

Management of County Properties and Roads
(See also entries 2, 5)

19. REGISTER OF SCHOOL BONDS, 1912-- . 1 v. (1).
Register of school bonds, including road bonds, 1936--,
and drainage and levee district bonds, 1939, showing
date, number, amount, and purpose of bond, rate of
interest, dates of maturity and filing, name of bond-
holder, and remarks. Arr. by date of bond. Indexed
alph. by title of district. Hdw. under pr. hdgs.
261 p. 16 x 12 x 2. Co. clk.'s off., 1st fl.
20. REGISTER OF RAILROAD BONDS, 1857-93. 1 v.
Register of railroad bonds and coupons, including jail
bonds, 1876, and drainage bonds, 1886-93, showing name
of railroad, rate of interest, dates of issue and ex-
piration of bond, and dates of maturity and cancellation
of coupons. Arr. by date of bond. No index. Hdw.
under pr. hdgs. 200 p. 15½ x 11 x 1. Co. clk.'s
off., 1st fl.
21. COUPONS REGISTER, 1859-77. 1 v.
Register of bond coupons, showing dates, amounts and
numbers of bonds and coupons and dates of cancell-
ation and destruction of coupons. Arr. by date of
coupon. No index. Hdw. 100 p. 8 x 6 x ½ . Strm.,
bsmt.

II. COUNTY CLERK

Forerunner of the present county clerk was the clerk of the county commissioners' court. This court was the administrative body in Cass County from 1837, the date of organization of the county, to 1849.¹ The Constitution of 1848 and laws of 1849 created a new judicial branch of county government presided over by the county judge and entitled the "county court" and provided for the quadrennial election of a "clerk of the county court."² In addition to his duties as clerk of the judicial court, the incumbent was also to act as clerk of the administrative branch of government which consisted of the county judge and two justices of the peace.³

The above-mentioned clerks all performed the duties of county clerk as well as those of clerks of a judicial or administrative body. In fact, legislation frequently referred to those incumbents as "county clerks" when defining duties relating to county business as distinct from their duties in other capacities. The Constitution of 1870 specifically provided for a county clerk⁴ who has continued to act to the present in this capacity, and also as clerk of the county board⁵ and clerk of the county court.⁶ The revised statutes of 1874 adopted the use of a distinction of titles for each of his *ex officio* capacities, applying the title "county clerk" only when referring to his duties as such.⁷ It is the performance of those duties that give rise to the records dealt with in this section.

An act of 1837, the year Cass County was organized, required the clerk of the county commissioner's court to be elected for a four-year term,⁸ which was reduced to a two-year term in 1847.⁹ A bond of \$1,000 was required.¹⁰ The clerk of the county court which was established in 1849, served for a four-year term and was bonded in the sum of \$3,000.¹¹ The Constitution of 1870 and the revised statutes of 1874, establishing the office of county clerk, provided for his election for a quadrennial term and that the amount of his bond be set by the county board.¹² The bond is entered upon the records of his office, and deposited with the

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1. Const. 1818, Schedule, sec. 4; L. 1819, p. 175.
 2. Const. 1848, Art. V, sec. 16, 18, 19; L. 1849, p. 62, 63.
 3. *Ibid.*, p. 65, 66.
 4. Art. VI, sec. 18 and Art. X, sec. 8.
 5. R.S. 1874, p. 322.
 6. *Ibid.*, p. 260.
 7. *Ibid.*, p. 260, 322.
 8. L. 1837, p. 49.
 9. L. 1845, p. 28; effective in 1847.
 10. L. 1819, p. 176, 177; R.L. 1833, p. 143; R.S. 1845, p. 131.
 11. L. 1849, p. 63, 64.
 12. Art. X, sec. 8; R.S. 1874, p. 321.

clerk of the circuit court. He is required to take oath, and is commissioned by the Governor.¹³ The county seal is kept by the clerk and is used by him when required.

In general, the county clerk's performance of his functions results in records relating to the following: taxation, vital statistics, licenses, and bonds. Various officials and agencies having authority over these matters report to, or deposit records with, the county clerk who in this manner acts as a coordinating factor in the execution of local and state affairs. In regard to other of these matters, the clerk is required to perform duties on his own behalf and retain the records resulting from such performance.

Illustrations of both of these procedures may be found by examining the various duties and records relating to taxation. The county clerk must procure all books and blanks used in the assessment and collection of taxes, and list in such books the lands and lots subject to taxation.¹⁴ They are then turned over to the supervisor of assessments who has the township assessors enter the valuations against each piece of property listed. The supervisor completes revisions and corrections upon complaint of property owners and returns the books in duplicate to the county clerk.¹⁵ Personal property assessments are handled in essentially the same manner. The board of review then makes adjustments on complaints and equalizes assessments between districts, certifying corrections and revisions to the county clerk.¹⁶ The county clerk then reports the entire assessments list to the State Tax Commission for equalization: the equalized list is afterwards used by the county clerk in ascertaining tax rates and extending taxes.¹⁷

13. Ibid.

14. L. 1867, p. 106; L. 1871-72, p. 19, 20, 32; L. 1903, p. 297. During the period of the first constitution such books and lists were prepared by the auditor of public accounts and turned over to the clerk of the county commissioners' court (L. 1825, p. 173; R.L. 1827, p. 329; L. 1839, p. 3, 4; L. 1847, p. 79).

15. The first assessment officer was the county treasurer (R.L. 1827, p. 328-36). In 1839 this function was performed by the district assessors, who received from the county clerk copies of the auditor's transcripts (L. 1829, p. 3, 4). The treasurer resumed these duties in 1844 (L. 1843, p. 231), retaining them until the institution of township organization in 1924 resulted in township assessors acting in each township (L. 1851, p. 38). The treasurer now acts as ex officio supervisor of assessments (L. 1898, p. 36-44).

16. L. 1898, p. 36-44

17. L. 1919, p. 723

The State Tax Commission also certifies to the county clerk the assessments on the capital stock of corporations and railroad and telegraph companies, it being the duty of the clerk to extend these taxes and retain the books after use by the collector.¹⁸

The books are next turned over to the county collector who, after collection, returns lists of collections together with lists of uncollected real and personal property taxes.¹⁹ The county clerk attends all tax sales, prepares a list of all sales and issues duplicate reports thereof, records affidavits of purchases of property for taxes, and keeps a record known as the "tax judgment, sale, redemption, and forfeiture record."²⁰

An extensive group of records of vital statistics is kept by the county clerk, including records relating to births and deaths, marriages, physicians, and midwives. The first legislation in regard to the keeping of vital statistics was included in the act for the establishment of medical societies.²¹ One section of this act made it the duty of every physician to keep a record of births, deaths, and diseases occurring within the vicinity of his practice, and to transmit such record to his medical society whereupon the record was to be published in the newspapers. In 1842 it was provided that a parent could appear before the clerk of the county commissioners' court and make affidavit as to the birth of a child, and the eldest next of kin of a deceased person could similarly appear and make affidavit as to death.²² It is probable that the tenor of the above-mentioned laws explains the fact that no birth or death records existed in Cass County prior to 1878, the first law in 1819, requiring no public record to be kept, and that of 1842 providing that affidavits "may" be made. The act of 1877 creating the State Board of Health required that all births and deaths in the county be reported to the county clerk by the attending physicians or accoucheurs.²³ Teeth were put into this and subsequent laws by providing penalties for non-compliance. In 1901 death certificates issued by physicians, midwives, or coroners were to be presented to town clerks who as the local registrars issued burial permits and forwarded the certificates to the county clerk.²⁴ In 1903, certificates of death were to be turned over to the State Board of Health, which then delivered to the county clerk all certificates so received.²⁵ Later it

18. L. 1871-72, p. 11,13,16; L. 1937, p. 1011,1012.

19. L. 1849, p. 124,125; L. 1871-72, p. 55; L. 1931, p. 759.

20. L. 1838, p. 3; L. 1871-72, p. 40; L. 1879, p. 250.

21. L. 1819, p. 233.

22. L. 1842-43, p. 210-12.

23. L. 1877, p. 209.

24. L. 1901, p. 302-303.

25. L. 1903, p. 315-18.

was provided that the township clerks should annually deposit with the county clerk a complete set of the records of births, stillbirths, and deaths registered with them. The county clerk was charged with binding and indexing, or recording, and safekeeping of such records.²⁶ From the earliest date the legislation in regard to these matters provided that the clerk retain the abstracts and certificates, keep a record of births and deaths, maintain alphabetical indexes, and issue certified copies of certificates upon request. The clerk has also been required to prepare a register of all physicians and accoucheurs in the county.²⁷

Since the organization of Cass County in 1837, the county clerk has been required to file marriage certificates and certificates of parents' consent to the marriage of minors.²⁸ The clerk was also required to keep a separate register of marriages in addition to his file of certificates.²⁹ Before 1877, persons desiring to marry were required to secure licenses from the county clerk only when they had not previously published such intention, but in that year the securing of a license was made mandatory.³⁰ Although a record of applications for marriage licenses has been kept by the clerk in this county since 1878, an act of 1937 appears to be the first legislation requiring the maintenance of such a record.³¹ The same act provides that persons desiring to marry shall present to the county clerk a certificate setting forth that such persons are free from venereal diseases, such certificates to be filed with the application for license to marry.³² Marriage records have been kept in Cass County since 1837.³³

The county clerk is charged with a number of duties relating to elections: preparing and issuing blank ballots,³⁴ poll books,³⁵ and certificates of election,³⁶ and keeping a record of registers of elections,³⁷ petitions,³⁸ and marked ballots,³⁹ tally sheets,⁴⁰ and election returns which are transmitted to him by the judges of election.⁴¹ Abstracts of returns were formerly prepared by the clerk, but these are now originated

26. L. 1915, p. 667.

27. L. 1877, p. 209.

28. L. 1819, p. 27; R.S. 1845, p. 354; R.S. 1874, p. 694.

29. R. L. 1827, p. 289.

30. L. 1877, p. 130.

31. L. 1937, p. 909.

32. *Ibid.*, p. 910.

33. (Marriage Licenses), see entry 44; Marriage Register, see entry 45.

34. L. 1891, p. 113; L. 1911, p. 311.

35. L. 1871-72, p. 386.

36. L. 1819, p. 96; L. 1821, p. 79; L. 1823, p. 64; L. 1885, p. 176.

37. L. 1865, p. 59; L. 1871-72, p. 386.

38. L. 1911, p. 310-311; L. 1929, p. 422.

39. L. 1891, p. 118.

40. L. 1885, p. 143.

41. L. 1819, p. 86; L. 1821, p. 77; L. 1823, p. 64; L. 1871-72, p. 389.

by the election commissioners or judges of election and deposited with the clerk. Returned ballots are destroyed by the clerk six months after election, provided no contest in which the ballots are needed is in progress.⁴² In 1889, when returns of elections for school trustees were made to the county clerk, he was charged with furnishing to the county superintendent of schools a list of all such trustees.⁴³ Now the clerk does not enter into the procedure, the school trustees canvassing the returns and certifying directly to the superintendent of schools.⁴⁴

The bonds of a number of officials are required to be transmitted to the clerk for filing and entering in a book maintained for that purpose.⁴⁵ Justices' of the peace and constables' oaths, bonds, and securities are approved by the clerk and entered in a separate book in accordance with statutory requirement. This book shows the date on which each justice of the peace and constable was sworn into office and the date of commission by the Governor. Resignations from these offices are made to the county clerk who enters such fact in the justices' and constables' record.⁴⁶

The clerk is also charged with issuing licenses to taverns,⁴⁷ ferries,⁴⁸ etc., and keeping records of the same. Other recordations made are: records relating to estrays,⁴⁹ registers of professionals, including physicians,⁵⁰ midwives,⁵¹ dentists,⁵² chiroprodists,⁵³ and veterinarians;⁵⁴ list of county officers; list of town officers which is furnished annually by each town clerk;⁵⁵ record of notaries public;⁵⁶ and book of state civil service rules.⁵⁷ Referring to his list of town officers, the county clerk reports annually to the State Department of Public Health the names and addresses of the supervisor, assessor, and clerk of each township, and the dates of the expiration of their

42. L. 1917, p. 444.

43. L. 1889, p. 271,322.

44. L. 1909, p. 352.

45. R.S. 1845, p. 396,397; L. 1861, p. 237,238; R.S. 1874, p. 325; L. 1895, p. 188.

46. Ibid.

47. L. 1819, p. 77-79; L. 1933-34, Second Sp. Sess., p. 64-66.

48. R. L. 1827, p. 221; R.S. 1874, p. 530.

49. L. 1819, p. 206,207; R.S. 1874, p. 483.

50. L. 1877, p. 209; L. 1899, p. 275; L. 1923, p. 441, 442.

51. Ibid.

52. L. 1881, p. 79; L. 1899, p. 273; L. 1909, p. 279; L. 1933, p. 711.

53. L. 1899, p. 280; L. 1935, p. 995.

54. L. 1917, p. 591.

55. L. 1861, p. 226; R.S. 1874, p. 1077.

56. L. 1871-72, p. 575; R.S. 1874, p. 721; L. 1875, p. 88.

57. L. 1905, p. 115.

terms of office.⁵⁸

Included in the provision that the county clerk be charged with the care and custody of all records, books, and papers appertaining to, and filed or deposited in, his office⁵⁹ are those duties as clerk of the county board, wherein he is required to record the proceedings of the board and to file all their books, records, and accounts.⁶⁰ Also included are his record-keeping duties as ex officio clerk of the county court, with its resulting duties in relation to probate matters.⁶¹ The clerk is also required to keep jury lists⁶² and a book in which he enters details as to orders upon the treasurer. He is further required to maintain alphabetical indexes of all records and papers in his office, and to supply copies of these records of papers to any person upon request and payment of the required fee.⁶³ The county clerk also acts ex officio as clerk of the special drainage district.⁶⁴

Taxation

(See also entries 2, 66 (1, ix, xiii-xviii, xx-xxii), 67 (xviii, xxiv, xxvi), 83, 105, 111, 112, 207 (v, xii, xx, xxiv, xxvi), 210-220, 232, 255-257)

Lists of Taxable Property, Levies

22. ASSESSOR'S BOOKS, 1853--. 646 v.
(Cass County, as a whole, 1853-72. 5 v. Real Estate. Missing: 1854-66, 1868, 1871, 1873. 1853-72. 14 v. Personal Property. Missing: 1853-56, 1858, 1861, 1863, 1865, 1873. T. 17 R. 8, Ashland Township, 1874-98. 14 v. Real and Personal Property. Missing: 1874-76, 1878, 1879, 1881-84, 1889, 1891, 1896. 1899-1926. 11 v. Real Estate. Missing: 1908-14, 1919-22. 1899-1926. 16 v. Personal Property. Missing: 1899, 1906, 1914-18, 1920-26. T. 17 R. 9, Philadelphia Township, 1874-98. 17 v. Real and Personal Property. Missing: 1874-76, 1880, 1881, 1886, 1891, 1896.

58. L. 1923, p. 480.

59. R.S. 1874, p. 322.

60. L. 1861, p. 239; R.S. 1874, p. 322.

61. R.S. 1874, p. 260.

62. *Ibid.*, p. 630.

63. *Ibid.*, p. 321.

64. L. 1885, p. 95; L. 1915, p. 390; L. 1919, p. 468.

1899-1926. 10 v. Real Estate. Missing:
1908-10, 1919-22. 1899-1926. 12 v. Personal Property. Missing: 1899, 1906, 1910.
T. 17 R. 10, Virginia Township, 1874-98. 14 v. Real and Personal Property. Missing: 1875, 1876, 1878-82, 1890, 1891, 1895. 1899-1926. 9 v. Real Estate. Missing: 1908-10, 1919-26. 1899-1926. 15 v. Personal Property. Missing: 1906, 1908, 1914-18, 1920-26.
T. 17 R. 11, Arenzville Township, 1874-98. 15 v. Real and Personal Property. Missing: 1875, 1876, 1879-82, 1885, 1890, 1891, 1894, 1896. 1899-1926. 9 v. Real Estate. Missing: 1908-14, 1919-22. 1899-1926. 17 v. Personal Property. Missing: 1914-18, 1920-26.
T. 17 R. 12, Hagener Township, 1874-97. 16 v. Real and Personal Property. Missing: 1875, 1876, 1878-82, 1885, 1889, 1896, 1898. 1899-1926. 10 v. Real Estate. Missing: 1908-10. 1899-1926. 12 v. Personal Property. Missing: 1904, 1906, 1914-26.
T. 17 R. 13, and T. 18 R. 13, Hagener and Beardstown, 1874-98. 15 v. Real and Personal Property. Missing: 1875, 1876, 1878-82, 1889, 1893, 1896. 1899-1926. 10 v. Real Estate. Missing: 1918-22. 1899-1926. 14 v. Real and Personal Property. Missing: 1899-1906, 1908, 1910, 1914-18, 1920-26.
T. 18 R. 8, Newmansville Township, 1874-98. 14 v. Real and Personal Property. Missing: 1874-76, 1878-82, 1889, 1896, 1897. 1899-1926. 9 v. Real Estate. Missing: 1908-10, 1919-26. 1899-26. 14 v. Personal Property. Missing: 1906, 1913-26.
T. 18 R. 9, Panther Creek Township, 1874-98. 16 v. Real and Personal Property. Missing: 1874-76, 1878-83. 1899-1926. 10 v. Real Estate. Missing: 1908-1910, 1919-22. 1899-1926. 15 v. Personal Property. Missing: 1899, 1907, 1914-18, 1920-26.
T. 18 R. 10, Sangamon Valley Township, 1874-98. 15 v. Real and Personal Property. Missing: 1875, 1876, 1878-82, 1889, 1891, 1896. 1899-1926. 10 v. Real Estate. Missing: 1908-10, 1919-22. 1899-1926. 18 v. Personal Property. Missing: 1914-18, 1920-26.
T. 18 R. 11, Bluff Springs Township, 1874-98. 14 v. Real and Personal Property. Missing: 1874-76, 1878-82, 1884, 1885, 1891. 1899-1926. 9 v. Real Estate. Missing: 1908-10. 1920-26. 1899-1926. 12 v. Personal Property. Missing: 1899, 1902, 1904, 1913-18, 1920-26.
T. 18 R. 12, Beardstown Township, 1874-98. 14 v. Real and Personal Property. Missing: 1874-76, 1878-82, 1884, 1886, 1891. 1899-1926. 9 v. Real Estate. Missing: 1908-10, 1919-22. 1899-1926. 15 v. Personal Property. Missing: 1903, 1909, 1914-18, 1920-26.
T. 19 R. 8, 9, 10, Chandlerville Township, 1874-98. 15 v. Real and Personal Property.

Missing: 1875, 1876, 1878, 1880-82, 1884, 1886, 1891, 1896. 1899-1926. 8 v. Real Estate. Missing: 1908-10, 1919-26. 1899-1926. 17 v. Personal Property. Missing: 1906, 1912, 1914-18, 1920-26.
T. 19 R. 11, 12, Bluff Springs and Beards-town Township, 1874-98. 16 v. Real and Personal Property. Missing: 1874-76, 1878-82, 1897. 1899-1926. 10 v. Real Estate. Missing: 1908-10, 1919-22. 1899-1926. 14 v. Personal Property. Missing: 1899, 1900, 1903, 1910, 1914-18, 1920-26.
Arenzville Township, 1927--. 4 v. Lands and lots, 8 v. Personal Property. Missing: Personal Property, 1927-31.
Ashland Township, 1927--. 4 v. Lands and Lots, 7 v. Personal Property. Missing: Personal Property, 1927-31, 1934.
Beardstown Township, 1927--. 4 v. Lands and Lots, 8 v. Personal Property. Missing: Personal Property, 1927-31.
Chandlerville Township, 1927--. 4 v. Lands and Lots, 6 v. Personal Property. Missing: Personal Property, 1927-31, 1934, 1937.
Hagener Township, 1927--. 4 v. Lands and Lots, 8 v. Personal Property. Missing: Personal Property, 1927-31.
Newmansville Township, 1927--. 4 v. Lands and Lots, 8 v. Personal Property. Missing: Personal Property, 1927-31.
Panther Creek Township, 1927--. 4 v. Lands and Lots, 8 v. Personal Property. Missing: Personal Property, 1927-31.
Philadelphia Township, 1927--. 4 v. Lands and Lots, 8 v. Personal Property. Missing: Personal Property, 1927-31.
Sangamon Valley Township, 1927--. 4 v. Lands and Lots, 8 v. Personal Property. Missing: Personal Property, 1927-31.
Virginia Township, 1927--. 4 v. Lands and Lots, 8 v. Personal Property. Missing: Personal Property, 1927-31).

Lists of taxable real and personal property, showing name of owner, descriptions of real estate and personal property, assessed valuation, tax spread, and total amount of assessments. Also contains (School District Tax), 1854--, entry 26; Corrected List of Lands, 1853-1923, 1926--, entry 210. Real Estate arr. by twp., sec., and range nos.; personal property arr. alph. by name of owner. No index. Hdw. under pr. hdgs. 172 - 600 p. 16 1/2 x 10 1/2 x 1 - 17 x 14 x 2 1/2. 529 v., 1853-1926, strm., bsmt., 117 v., 1927--., co. clk.'s off., 1st fl.

23. RAILROAD TAX BOOK, 1872--. 6 v. (3 not la- - beled, 2-4).

Lists of taxable railroad property, showing legal description and assessed, corrected, and equalized valuations of real estate, description and valuation of personal property, tax spread, recapitulation, and date

of assessment. Arr. by date of assessment. No index. Hdw. under pr. hdgs. 75 - 322 p. 13 1/2 x 11 x 1/2 - 17 x 15 1/2 x 2. 3 v. not labeled, 1872-95, strm., bsmt.; v. 2-4, 1896--, co. clk.'s off., 1st fl.

24. TELEGRAPH AND TELEPHONE TAX BOOK, 1884--.
4 v. (1 not labeled, 2-4).

Copies of telegraph and telephone company schedules of taxable property, showing name of company, legal description of property, tax spread, total tax, and date of filing. Arr. by date of filing. No index. Hdw. under pr. hdgs. 215 - 250 p. 16 x 11 x 1 - 16 x 12 x 2. 1 v. not labeled, v. 2, 3, 1884-1933, co. clk.'s off., 1st fl.; v. 4, 1934--, treas.'s off., 1st fl.

25. VALUES AND TAXES OF SCHOOL DISTRICTS, 1900--.
3 v. (1-3).

Lists of property valuations and assessments of school districts, showing district number, amounts of valuation and assessment, spread and rate of tax, and date of assessment. Arr. by date of assessment. No index. Hdw. under pr. hdgs. 158 p. 11 1/2 x 16 x 1 1/2. V. 1, 2, 1900-1914, strm., bsmt.; v. 3, 1915--, co. clk.'s off., 1st fl.

26. (SCHOOL DISTRICT TAX), 1853. 1 v. 1854-- in Assessor's Books, entry 22.

Lists of taxable property in the various school districts, showing rate of taxation, name of school district, name of owner and legal description of property, amount of tax, and date of assessment. Arr. alph. by names of school district and twp. No index. Hdw. 100 p. 12 x 8 x 1/2. Strm., bsmt.

Collections, Abatement

27. COLLECTOR'S BOOKS, 1843--. 205 v.
(Cass County, as a whole, 1843-1923. 146 v. Arenzville, Ashland, Beardstown, and Bluff Springs Townships, Book 1, 1924-36, 13 v. (1 v. per year).
Chandlerville, Hagener, Newmansville, Panther Creek, Philadelphia, Sangamon Valley and Virginia Townships, Book 2, 1924-36. 13 v. (1 v. per year).
Arenzville, Ashland, Beardstown, Bluff Springs, Chandlerville, Hagener, Newmansville, Panther Creek, Philadelphia, Sangamon Valley, and Virginia Townships, 1937--. 33 v. (1 v. per township per year)).

Lists of taxable real and personal property for townships and villages, showing names of owner, township, and village; description of property; acreage; real, assessed, and equalized valuations; tax spread, amounts of back taxes, interest, and costs; total amounts due; dates and amounts of payment, and name and address of payer. Also contains Abstract of Assessments and Taxes, 1843-73, entry 28. Personal property arr. alph. by name of owner; real estate arr. by twp., sec., and range nos. No index. 1843-48, hdw.; 1849--, hdw. under pr. hdgs. 280 - 664 p. 11 1/2 x 8 x 1 - 17 x 19 x 3. 146 v.,

1843-1923, strm., bsmt.; 59 v., 1924-- , treas.'s off.,
1st fl.

28. ABSTRACT OF ASSESSMENTS AND TAXES, 1874--.
6 v. (1 not labeled, 2, 3, 3-5). 1843-73 in
Collector's Books, entry 27.

Abstracts and statements of assessments and tax collec-
tions as listed in collector's books, showing date,
amount, and purpose of tax, assessed and equalized
values, names of township, city, or village, tax spread,
and total tax. Arr. by date of assessment. No index.
Hdw. under pr. hdgs. 300 p. 16 x 17 x 1 1/2. Co.
clk.'s off., 1st fl.

29. BACK TAX RECORD, 1840-- . 9 v. (2 not label-
ed, A, 3-8). Missing: 1861-81, 1891-1932.
Title varies: Minute Book, 1 v., 1840-50;
Delinquent Lands, 1 v., 1851-60.

Lists of tax delinquent property, showing name of owner,
legal description of property, tax spread, amounts of
taxes, penalties, costs, interest, and printer's fees,
and years of delinquency. Arr. alph. by name of twp.
No index. 1840-60, hdw.; 1882-- , hdw. under pr. hdgs.
201-320 p. 17 x 16 x 1 1/2 - 17 x 17 1/2 x 2. Co.
clk.'s off., 1st fl.

30. REFUNDING BOOK, 1875. 3 v.

Record of refunds of illegal portion of 1873 assess-
ments, showing legal description of property, and amount
and date of refund. Arr. by date of refund. No index.
Hdw. on pr. fm. 150 p. 16 x 12 x 1 1/2. Strm., bsmt.

Judgment, Sale, Redemption, Forfeiture

31. TAX JUDGMENT, SALE, REDEMPTION AND FORFEI-
TURE RECORD, 1881-- . 8 v. Missing: 1882-88.

Lists of tax delinquent property on which judgment for
sale has been entered, and sale, redemption, or forfei-
ture proceedings have been instituted, showing name of
owner; valuation and legal description of property;
dates and amounts of delinquency, judgment, and sale
or redemption; names of purchaser or redeemer; and
number of purchase certificate. Tax Judgment Record,
entry 32; Tax Sale and Redemption Record, entry 33;
and Record of Forfeited Lands, entry 34, formerly kept
separately. Also contains Tax Judgment, Sale Redemp-
tion, and Forfeiture Record Special Assessment, 1889-
1932, entry 35. Arr. by date of delinquency. No in-
dex. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3 1/2.
Co. clk.'s off., 1st fl.

32. TAX JUDGMENT RECORD, 1861-80. 3 v. (C, 1
not labeled, E). 1842-60 in Tax Sale and
Redemption Record, entry 33; 1881--in Tax
Judgment, Sale, Redemption and Forfeiture
Record, entry 31.

Lists of tax delinquent real estate on which judgment
for sale has been entered, showing name of owner and
legal description of property, tax spread, year and
amount of delinquency, date and amount of judgment,
and court order for sale. Arr. by date of judgment.

No index. Hdw. under pr. hdgs. 480 p. 16 x 12 x 2.
Strm., bsmt.

33. TAX SALE AND REDEMPTION RECORD, 1842-80.
3 v. (1 not labeled, C, C). Missing:
1850-60. Title varies: Records, 1 v.,
1842-49; Tax Sales Record, v. C, 1861-72.
1881-- in Tax Judgment, Sale, Redemption
and Forfeiture Record, entry 31.

Lists of tax delinquent property sold by order of
judgment for sale or redeemed from sale, showing names
of owner and purchaser or redeemer, legal description
of property, dates and amounts of judgments and sale
or redemption, amounts of delinquent taxes, costs, and
interest, and signature of county clerk. Also con-
tains Tax Judgment Record, 1842-60, entry 32. Arr.
by date of sale or redemption. Indexed alph. by name
of twp. Hdw. under pr. hdgs. 480 p. 18 x 13 x 2 1/2.
Strm., bsmt.

34. RECORD OF FORFEITED LANDS, 1873-80. 1 v.
1881-- in Tax Judgment, Sale, Redemption
and Forfeiture Record, entry 31.

Lists of forfeited lands, showing name of owner, legal
description and value of property, amounts of delin-
quent taxes, costs and penalties, and date of forfei-
ture. Arr. by date of forfeiture. No index. Hdw.
under pr. hdgs. 300 p. 18 x 13 x 1 1/2. Strm., bsmt.

35. TAX JUDGMENT, SALE, REDEMPTION, AND FORFEI-
TURE RECORD SPECIAL ASSESSMENT, 1933--. 1 v.
1889-1932 in Tax Judgment, Sale, Redemption
and Forfeiture Record, entry 31.

Lists of property delinquent in special assessment pay-
ments on which judgments for sale have been obtained
and sale and redemption or forfeiture proceedings have
been entered, showing legal description of real estate,
name of owner, numbers and amounts of delinquent in-
stallments, amounts of interest and costs, and total
amount due. Arr. by date of delinquency. No index.
Hdw. under pr. hdgs. 50 p. 22 x 17 x 1 1/2. Co.
clk.'s off., 1st fl.

36. CANCELLED TAX SALE CERTIFICATES OF PURCHASE,
1837--. 26 f.b. (30-486 not consecutive).

Cancelled tax sale certificates of purchase, showing
dates of sale and cancellation, legal description of
real estate amounts of taxes and costs, signatures
of county clerk and collector, and date of filing.
Arr. by date of filing. For index, see entry 1.
1837-54, hdw.; 1855-1904, hdw. on pr. fm.; 1905--,
hdw. and typed on pr. fm. 10 x 4 1/2 x 13 1/2. Co.
clk.'s off., 1st fl.

37. AFFIDAVIT FOR TAX DEEDS, 1874-1911. 3 v.
(A, D, 1874-1911; 1, 1910).

Copies of affidavits for tax deeds, showing date of
affidavit, name of purchaser, legal description of
property, certification of publication notice, and
acknowledgment. Arr. by date of affidavit. Indexed
alph. by name of affiant. Hdw. and hdw. on pr. fm.
294 p. 18 x 12 1/2 x 2. Co. clk.'s off., 1st fl.

Vital Statistics

Births (See also entry 69)

38. BIRTH, STILLBIRTH AND DEATH CERTIFICATES, 1878--. 25 f.b. (2, 10, 11, 13, 17, 36, 37, 39, 55, 58, 66, 85, 97-99, 128, 133-136, 5 not labeled).

Birth certificates showing date and number of certificate, name of child, parents, and physician or midwife; date and place of birth; personal and statistical particulars; and signatures of physician and county clerk; also contains death and stillbirth certificates, showing place, cause and date of death or stillbirth, registration and primary district numbers, personal and statistical particulars, names of deceased, informant, undertaker, and physician, medical certificate of death, and signature of county clerk. Arr. by date of certificate. No index. Hdw. and typed on pr. fm. 14 x 5 x 10 - 5 x 5 x 19. Co. clk.'s off., 1st fl.

39. BIRTH RECORD, 1878--. 12 v. (1, 2, 2 not labeled, 3-10).

Record of birth certificates, showing certificate number, place, and date of birth, sex and color of child, names of child, parents and physician or midwife, number of children of mother, signatures of physician and county clerk, and date of filing. Also contains Stillbirth Record, 1899-1917, entry 43; arr. by date of filing. For index 1878-1902, 1916, 1917, see entry 40; 1903--, indexed alph. by name of child. Hdw. on pr. fm. 538 p. 18 x 13 x 2 1/2. Co. clk.'s off., 1st fl.

40. BIRTH INDEX, 1878-1902, 1916, 1917. 2 v. (A, 1878-1902; 1, 1916, 1917). Title varies: Index to Births, v. A, 1878-1902.

Index to Birth Record, entry 39, showing names of child and parents, certificate number, date of birth, and book and page of entry. Arr. alph. by name of child. Hdw. under pr. hdgs. 275 p. 18 x 13 x 2. Co. clk.'s off., 1st fl.

Deaths (See also entries 38, 69)

41. DEATH RECORD, 1878 --. 8 v. (1, 1 not labeled, 3-8) Missing: 1901.

Record of death certificates, showing names of deceased, parents, physician, and undertaker, date and place of death, medical certificate of death, and date of filing. Arr. by date of filing. For index, 1878-1900, 1916, 1917, see entry 42; 1902--, indexed alph. by name of deceased. Hdw. on pr. fm. 101 - 580 p. 18 x 11 x 1 - 18 x 13 x 3. Co. clk.'s off., 1st fl.

42. DEATH INDEX, 1878-1900, 1916, 1917. 2 v. (A, 1878-1900; 1, 1916, 1917).

Index to Death Record, entry 41, showing name of deceased, date of death, and book and page of entry. Arr. alph. by name of deceased. Hdw. under pr. hdgs. 200 - 325 p. 18 x 12 x 1 1/2 - 18 x 13 x 2. Co. clk.'s off., 1st fl.

Stillbirths (See also entry 38)

43. STILLBIRTH RECORD, 1874-98, 1918--. 3 v.
(1 not labeled, 1874-98; 1, 1918--; 1 not
labeled, 1923--). 1899-1917 in Birth Record,
entry 39.

Record of stillbirth certificates, showing names of
parents, undertaker, and physician, cause, date, and
place of stillbirth, medical certificate of death, and
date of filing. Arr. by date of filing. Indexed alph.
by name of parents. Hdw. on pr. fm. 200 - 500 p. 18
x 12 x 1 - 18 x 13 1/2 x 3. Co. clk.'s off., 1st fl.

Marriages (See also entry 66 (vii))

44. (MARRIAGE LICENSES), 1837--. 82 f.b.

Marriage license returns showing names of bride, groom,
and officiating person, personal and statistical par-
ticulars, license number, and dates of license, cere-
mony, and return. Arr. by date of license. No index.
Hdw. and typed on pr. fm. 4 1/2 x 4 1/2 x 9. Co.
clk.'s off., 1st fl.

45. MARRIAGE REGISTER, 1837--. 9 v. (A-I).

Register of marriage licenses, showing date and number
of certificate, names of bride and groom, and book and
page of entry in marriage record. Arr. by license no.
Indexed alph. by name of bride and groom. 1837-71, hdw.;
1872--, hdw. under pr. hdgs. 250 - 350 p. 16 x 11 1/2
x 2 - 13 x 8 1/2 x 3. Co. clk.'s off., 1st fl.

46. REGISTER OF MARRIAGES (Record), 1878--. 4 v.
(1-4).

Copies of marriage licenses, showing names of bride,
groom, parents, witnesses and officiating person, per-
sonal and statistical particulars of bride and groom,
and dates of license, ceremony, return of license, and
registration. Arr. by date of return. For index, see
entry 47. Hdw. on pr. fm. 316 - 562 p. 18 x 13 x 2 -
17 x 14 x 2 1/2. Co. clk.'s off., 1st fl.

47. INDEX TO MARRIAGE RECORDS, 1877--. 1 v.

Index to Register of Marriages (Record), entry 46, show-
ing names of bride and groom, and book and page of entry
in record. Arr. alph. by names of male and female.
Hdw. under pr. hdgs. 400 p. 18 x 13 x 2 1/2. Co. clk.'s
off., 1st fl.

48. APPLICATION FOR MARRIAGE LICENSES, 1878--.

20 v. (A, 19 not labeled).

Copies of applications for marriage licenses for adults
and minors, showing names, addresses, and ages of appli-
cants, relationship, date and number of application, and
signature of county clerk. Arr. by application no.
1878-80, indexed alph. by name of male; 1881-1933, no
index; 1934--, indexed alph. by names of male and female.
Hdw. on pr. fm. 320 - 600 p. 14 x 9 1/2 x 2 - 16 x 12
x 3 1/2. V. A, 17 v. not labeled, 1878-1932, strm.,
bsmt.; 2 v. not labeled, 1933--, co. clk.'s off., 1st
fl.

49. RECORD OF MARRIAGES WITHOUT LICENSE, 1868-76.
1 v.

Record of marriages celebrated without licenses, showing names of county, town, bride, groom, official performing ceremony, and religious organization, date of marriage, and certification of official. Arr. by date of marriage. No index. Hdw. 16l p. 14 x 9 x 1. Co. clk.'s off., 1st fl.

Licenses and Registers

Register of Officers (See also
entries 66 (iii), 67 (ix))

50. REGISTER OF NOTARIES, JUSTICES OF PEACE, AND
CONSTABLES, 1837--. 3 v. (A, 2 not labeled).
Title varies: Magistrates' Commissions, v.
A, 1837-72; Notaries Record, 1 v., 1873-96.

Register of notaries, justices of the peace, and constables, showing name and address of officer; dates of commission, oath, and expiration of commission; date, amount, and obligations of bond; names of sureties; location of office, and remarks. Arr. by date of commission. No index. 1837-72, hdw.; 1873--, hdw. under pr. hdgs. 275 - 300 p. 10 x 11 x 1 1/2 - 13 x 8 x 2. Co. clk.'s off., 1st fl.

51. RECORD OF OFFICERS ELECTED, 1910--. 1 v. (1).

Register of county and township officers, showing names of officer, sureties, and office, date and amount of bond, term of office, and remarks. Arr. by date of election. No index. Hdw. under pr. hdgs. 319 p. 12 x 16 x 2. Co. clk.'s off., 1st fl.

Professional Licenses
and Registers (See also
entry 67 [xvii])

52. REGISTER OF DOCTOR'S CERTIFICATE OF EXAM
(ination), 1877--. 2 v.

Copies of certificates of physicians, dentists, osteopaths, veterinarians, accoucheurs, and nurses, showing date, number, and kind of certificate; names of practitioner, member of examining board, and school; and dates of graduation and registration. Arr. by date of certificate. Indexed alph. by name of practitioner. 1877-1933, hdw. on pr. fm.; 1934--, typed on pr. fm. 206 p. 18 x 12 x 1 1/2. Co. clk.'s off., 1st fl.

53. REGISTER OF PHYSICIANS AND ACCOUCHEURS,
1878--. 1 v. (1). Last entry 1929.

Register of certificates of physicians, dentists, osteopaths, chiropractors, eclectics, allopaths, homeopaths, veterinarians, and accoucheurs, showing date of registration, name, age, nativity, and address of practitioner, number of years of practice, school of practice, date and number of state certificate, date of graduation from school of practice, date state certificate filed for record, and remarks. Arr. by date of filing. Indexed alph. by name of practitioner. Hdw. under

pr. hdgs. 250 p. 18 x 12 1/2 x 1 1/2. Co. clk.'s off., 1st fl.

54. OPTOMETRY REGISTER, 1916--. 1 v. (1). Last entry 1919.

Register of optometrists' certificates, showing date, number, and class of certificate, name and address of optometrist, date of registration, and remarks. Arr. by date of registration. Indexed alph. by name of optometrist. Hdw. under pr. hdgs. 400 p. 18 x 13 x 1 1/2. Co. clk.'s off., 1st fl.

Estrays, Marks and Brands (See also entry 66(v1))

55. (MARKS AND BRANDS), 1894. 1 f.b. (31).

Marks and brands filed for recording, showing name of cattle owner, location and description of brand, and date of filing. Arr. by date of filing. No index. Hdw. 14 x 10 x 5. Co. clk.'s off., 1st fl.

56. ESTRAY RECORD, 1837-1905. 2 v. (1 not labeled, B).

Register of estray certificates, showing names of finder, justice of the peace, and appraiser, date and place of finding, description and appraised value of animal, amounts of costs, and date of report. Arr. by date of report. No index. 1837-66, hdw.; 1867-1905, hdw. under pr. hdgs. 400 p. 13 x 6 x 2. 1 v. not labeled, 1837-66, strm., bsmt., v. B, 1867-1905, co. clk.'s off., 1st fl.

Dog Licenses

57. DOG LICENSE FUND RECORD, 1880-1903. 1 v. 1904-- in Register of Warrants, entry 8.

Accounts of dog license fund, showing names of treasurer and township, date and amount of dog tax receipts, dates and amounts of claim and payment, and number of sheep killed. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 286 p. 16 x 11 1/2 x 2. Co. clk.'s off., 1st fl.

Elections

(See also entries 66 (x1), 67 (x1))

58. RECORD OF BALLOTS, 1891-1914. 1 v.

Register of election ballots, showing name and number of precinct, quantity of ballots delivered, used, and returned, names of persons receiving and returning ballots, and dates of delivery and return. Arr. by date of delivery. No index. Hdw. under pr. hdgs. 200 p. 16 x 10 1/2 x 1. Co. clk.'s off., 1st fl.

59. RECORD OF VOTES OF ANTI-SALOON TERRITORY, 1907-15. 1 v.

Tally of ballots cast in anti-saloon election, showing precinct number, date and place of election, quantity of votes for and against issue, and total number of ballots. Arr. by date of election. No index. Hdw. under pr. hdgs. 322 p. 16 x 12 x 2. Co. clk.'s off., 1st fl.

Bonds of Officers
(See also entries 66 (iv), 67 (ix, xxiv))

60. RECORD OF JUSTICES' AND CONSTABLES' BONDS,
1837--. 2 v. (A, B).

Copies of bonds of constables, police magistrates, and justices of the peace, showing names of official and sureties, date, amount, and obligations of bond, oath, and date of filing. Arr. by date of filing. Indexed alph. by name of official. 1837-53, hdw.; 1854--, hdw. on pr. fm. 340 p. 18 1/2 x 12 1/2 x 2. Co. clk.'s off., 1st fl.

61. ASSESSORS' BOND RECORD, 1911--. 1 v. (1).

Copies of township assessors' bonds, showing names of assessor and sureties, date, number, amount, and obligations of bond, certification of county clerk, and dates of filing and approval. Arr. by date of filing. Indexed alph. by name of assessor. Hdw. on pr. fm. 292 p. 14 x 10 x 1 1/2. Co. clk.'s off., 1st fl.

62. HIGHWAY COMMISSIONERS' BOND REGISTER, 1924--.
1 v. (1). Missing: 1932.

Register of township highway commissioners' bonds, showing date, amount, and obligations of bond, names of commissioner and sureties, length of term of office, and dates of filing and approval. Arr. by date of filing. Indexed alph. by name of commissioner. Hdw. 132 p. 18 x 13 x 1 1/2. Co. clk.'s off., 1st fl.

63. RECORD OF OFFICIAL BONDS, 1878-1920. 1 v.
1837-77, 1921--in Supervisors' Minutes
(Record), entry 3.

Copies of county officers' bonds, showing names of officer, surety, and office, date, amount, and term of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of official. Hdw. on pr. fm. 288 p. 18 x 13 x 2. Co. clk.'s off., 1st fl.

Census

64. CENSUS, 1845. 1 v.

Cass County census showing names of free white male and female persons, free Negro male and female persons, grand totals, and list and names of owners of mills, cording machines, and distilleries. No obvious arr. Hdw. 150 p. 12 x 7 1/2 x 1 1/2. Strm., bsmt.

Military Records

65. MILITIA ROLL RECORD, 1860-61. 1 v.

Roll of Civil War militiamen, showing name and address of soldier, date of enlistment, and class of service. Arr. by date of enlistment. No index. Hdw. under pr. hdgs. 300 p. 15 1/2 x 11 1/2 x 2. Co. clk.'s off., 1st fl.

Miscellaneous Records

66. (COUNTY CLERK'S MISCELLANEOUS FILES), 1837--,
550 f.b. (1-501 with duplications).
- Documents filed in county clerk's office, consisting of:
- i. Affidavits for tax deeds, notices of purchase and redemptions, certificates of purchase, and petitions for tax deeds, 1848--, showing date and amount of sale, legal description of property, names of owner, purchaser, and county clerk, and amounts of taxes and costs.
 - ii. Applications for hunting licenses, 1903--, showing date and number of application, and name, age, residence, and physical description of applicant.
 - iii. Appointments of deputies to various county offices, 1844--, showing names of deputy and office, and dates of appointment, term of office, and filing.
 - iv. Bonds and oaths of assessors, 1842--, constables and justices, 1837--, township treasurers, 1837--, public administrators, 1881-1900, showing names of principal and sureties, date, amount, and terms of bond, and date of filing.
 - v. Certificates of election of church trustees, 1853, 1874, 1875, showing names of trustees and church, date of election, and period of term.
 - vi. Certificates of estrays, 1837-1905, showing names of finder, appraiser, and justice of peace, date and location of finding, appraised value, and certificate of appraiser.
 - vii. Certificate of physicians for marriage licenses, 1937--, showing dates of application and examination, names of applicants, and findings of physician.
 - viii. Certificates of stallions, 1888--, showing date and number of certificate, name and address of owner, description and pedigree of animal, and name of secretary of state board of agriculture.
 - ix. Certificates of tax abatement, 1873, 1909-12, showing name of owner, description of personal property, valuation, and date and amount of abatement.
 - x. Deeds, uncalled for, 1843-74, showing date of instrument, names of grantor and grantee, consideration, and legal description of property.
 - xi. Election papers, 1837--, including abstracts of election, primary petitions, certificates of nomination, objections to nominations, certificates of election, orders for elections, certificates of selection of judges and clerks of election, tally sheets, poll books, and applications for absentee ballots.
 - xii. Inquest papers of coroner, 1839--, showing name of deceased, date and place of death, dates of inquest and report, inventory and nature of disposal of personal effects, names, verdict, and fees of jurors, and testimony of witnesses.

- xiii. Lists of collections of delinquent taxes, 1893-1916, showing dates of collection and delinquency, amount of taxes, and name of taxpayer.
- xiv. Lists of school tax levies, 1861-- , showing names of school district, township, and board members, legal description of parcels of property, amount of tax, tax spread, and rate.
- xv. Lists of tax delinquent property, 1839-1926, showing year and amount of delinquency, name of owner, and legal description of property, and certificate of publication.
- xvi. Lists of assessed property, 1845-53, showing date and amount of assessment, name of owner, and legal description of property.
- xvii. Lists of taxable property transmitted by auditor, 1849-81, showing legal description of property, amount of tax correction, and name of purchaser.
- xviii. Objections to taxes, 1865-- , showing name of property owner, legal description of property, amounts of assessment and judgment for delinquent taxes, date and nature of objection, and certificate of publication.
- xix. Receipts for fine payments, duplicates, 1838-1912, showing nature and amount of fine, name of payee, and date of payment.
- xx. Schedules of personal property, 1892-- , showing names of owner, township, and school district, owner's and assessor's valuations, amount of tax, and date of filing.
- xxi. Statements of refunds for illegally assessed taxes, 1875-77, showing date and nature of original assessment, tax spread, name of owner, legal description of property, and date and amount of refund.
- xxii. Statements of taxes collected and request for credit by collector, 1868-1929, showing itemized list of tax collections, number of district, amounts accounted for by errors, insolvencies, and forfeitures, collector's fees, names of collector and township, date of statement, and total amount of tax.
- xxiii. Wills, 1875-1901, showing names of testator, executor, and heirs, and date and provisions of will.

Also contains (Supervisors' Files), entry 2; (Common and Criminal Law Case Files), entry 105. Arr. by file no. For index, see entry 1. Hdw., typed, and hdw. and typed on pr. fm. 5 x 5 x 10 - 10 x 5 x 14. Co. clk.'s off., 1st fl.

67. MISCELLANEOUS RECORD, 1860-- . 5 v. (B-F). Record of documents in miscellaneous proceedings filed in county clerk's office, consisting of:

- 1. Administratorship proceedings - bonds, 1907, 1938; orders for distribution of money, 1905; petitions and orders to sell personal property at public sale, 1895; petitions and orders to sell personal property at private sale, 1893; reports of financial accounts of

- estates, 1908-10; reports of private sale, 1896-1908.
11. Administrator with will annexed proceedings - petitions, oaths, bond, letters, 1897.
- 11i. Adoption proceedings - petitions, entries of appearance, court orders, 1880--.
- 1v. Cemetery association - reports to court, 1921; treasurer's bond, 1916.
- v. Civil service proceedings - State of Illinois Civil Service Commission rules, 1905-14.
- vi. Conservatorship proceedings - bonds, 1937--; petitions, 1895-1907; reports, 1909, 1938.
- vii. Co-partnership proceedings - bills of appraisal, 1891-97, 1938--; inventories, 1891-97; reports of appraisers, 1907; warrants and oaths of appraisers, 1891-97, 1938--.
- viii. Corporation proceedings - certificate of change of name, 1910.
- ix. County and township officer proceedings - appointments and oaths of deputy county officers, 1876--; bonds of county officers, 1876--; bonds of justices of the peace and police magistrates, 1880-87; bonds of highway district clerks, 1892, 1896, 1939; commission of probation officer, 1908; reports of warden of county almshouse, 1879; reports of state's attorney, 1907, 1922.
- x. Criminal case proceedings - releases on payment of fine, 1906-10.
- xi. Election proceedings - city election returns, 1937; call for party convention, 1936; lists of elected church trustees, 1874, 1875.
- xii. Executorship proceedings - bonds, 1938; final reports and discharges, 1896-1907; orders for partial distribution of income, 1908; probate of wills, 1897-1906; transfer of shares in will, 1906-8; wills, 1880-1906, 1930, 1934.
- xiii. Guardianship proceedings - bonds, 1889--; discharges, 1908; petitions for guardianship, 1892-1909; inventories, 1877; petitions to lease property, 1908; financial reports, 1903, 1908, 1938.
- xiv. Inheritance tax returns, 1907, 1908.
- xv. Insanity proceedings - petitions, jury verdicts, court orders of commitment, 1907, 1908; restoration of citizenship rights, 1936.
- xvi. Jury proceedings - lists of county and circuit court jurors, 1935--.
- xvii. License recording proceedings - architects, 1895-1917; dentists, 1890-97; 1914; nurses, 1910; osteopaths, 1911; physicians, 1891, 1910-14; veterinarians, 1899-1919; notaries, 1866-74, 1912.
- xviii. Local street improvement proceedings - ordinances, assessment rolls, estimates of construction, specifications, bids of contractors, certificates of acceptance and inspection, notices of public hearings, proof of mailing, plats of improvements, 1906--.
- xix. Ordinances of villages - resolutions of town boards, ballots, canvass of votes, 1937--.

- xx. Partnership proceedings - certificates of partnership, 1860; oaths of partners, 1895-97.
- xxi. Powers of attorney - certificates of power of attorney, 1875, 1921, 1938.
- xxii. Receivership proceedings - appointments and bonds of receivers, 1908.
- xxiii. Road district proceedings - rights of way, 1922; eminent domain, 1922; condemnations, 1933; resolutions for road bond issues, 1937.
- xxiv. Sanitary district proceedings - plats of districts, petitions for organization, results of election, appointments, bonds, and oaths of trustees, ordinances for tax levies and bond issues, reports of treasurer, 1927--.
- xxv. School district proceedings - organization of high school district, 1917-25; separation of consolidated districts, 1929; certificates of changes of school districts, 1937; election returns of non-high school district board, 1936; minutes of meetings of school district boards, 1936--; resolution for school bond issue, 1912.
- xxvi. Tax sale proceedings - affidavits for tax deeds, notices of sale, certificates of purchase, 1872--.

Also contains Assignment Record, 1887--, entry 107. Arr. by date of recording. Indexed alph. by title of subject matter. 1860-1911, hdw.; 1922--, typed. 440 - 570 p. 18 x 12 1/2 x 2 - 18 x 13 x 3. Co. clk.'s off., 1st fl.

Fees, Receipts and Expenditures

- 68. CASH BOOK, 1873--. 3 v. Missing: 1915-23. Title varies: Register of Fees received by County Clerk, 1 v., 1873-1911; Register of Receipts and Expenditures, County Clerk, 1 v., 1912-14.

County Clerk's accounts of daily receipts and expenditures, showing date, amount, and purpose of receipt or expenditure, names of payer or payee, and total amount of receipts and disbursements. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 316 p. 18 x 13 x 2. Co. clk.'s off., 1st fl.

- 69. ACCOUNT BOOK BIRTHS AND DEATHS, 1903. 1 v. (1). Accounts of fees paid to local registrars for vital statistics reports, showing number of births, stillbirths, and deaths reported, name of registrar, and date and amount of payment. Arr. by date of report. Indexed alph. by name of registrar. Hdw. on pr. fm. 260 p. 16 x 11 1/2 x 1 1/2. Co. clk.'s off., 1st fl.

III. RECORDER

In 1837, the year in which Cass County was organized, the recorder was elected for a four-year term.¹ A two-year term became effective in 1847.² The amount of his bond was set at \$500.³ With the adoption of the second constitution the office of recorder was abolished, the duties of that office being delegated to the circuit court clerk in an ex officio capacity.⁴ The present constitution reestablished the office of recorder in counties having a population of 60,000 or more but continued the provision of the prior constitution for other counties.⁵ As the population of Cass County has not reached the minimum set by the constitution,⁶ the circuit court clerk in this county has retained his duties, ex officio, as recorder. The amount of the recorder's bond was fixed at \$5,000 in 1872, and was to be approved by the county judge.⁷ This amount was raised in 1874 to \$10,000 for counties having the population of Cass. A copy of the bond is entered upon the records of the county court.⁸

Assistants and deputies are appointed by the recorder in a number as determined by rule of the circuit court and as entered upon the court record.⁹ The compensation of the assistants and deputies is set by the county board.¹⁰ Written oaths of deputies are filed with the Secretary of State.¹¹

In accordance with the duty of the recorder to record at length all written instruments, the following records are required to be kept:

1. An entry book in which data relating to date and order of receipt of instruments to be recorded or filed, and the names of parties and location of property, with a brief description of the premises, are entered. Each of such instruments is numbered by the recorder with the cor-

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1. L. 1835, p. 166. Between 1819 and 1835 the recorder was appointed by the Governor with the advice and consent of the Senate (L. 1819, p. 19; R.L. 1829, p. 117).
 2. L. 1845, p. 28.
 3. R.L. 1829, p. 117.
 4. Const. 1848, Art. V, sec. 19; L. 1849, p. 64.
 5. Const. 1870, Art. X, sec. 8; R.S. 1874, p. 833.
 6. Census shows population of Cass, 17,896 in 1920 and 16,537 in 1930. Population Bulletin, p. 8. According to the preliminary 1940 census, the population is 16,410.
 7. L. 1871-72, p. 645.
 8. R.S. 1874, p. 833.
 9. Const. 1870, Art. X, sec. 9; R.S. 1874, p. 833.
 10. Const. 1870, Art. X, sec. 9.
 11. R.S. 1874, p. 833.

responding number of the entry. The entry book serves as a table of contents, with descriptive memoranda, for all instruments recorded at length or filed in the recorder's office.

2. Well-bound books for recording at length any instrument in writing entitled to be recorded, in the order of time of its reception. Separate books are allowed to be kept for the recording of different classes of instruments and two distinct series of document numbers may be used in recording documents received for recordation. One series preceded by the letter "B" is for the recordation of bills of sales of personal property, chattel mortgages, releases, extensions, and assignments thereof. The other series of document numbers is for all other instruments received for recordation.
3. Grantor and grantee indexes. In the grantor index are listed the names of the grantors in alphabetical order and the names of grantees. The grantee index shows the names of the grantees in alphabetical order and the names of the grantors. Each index also shows the date of the instrument, time of receipt, kind of instrument, consideration, book and page of recordation, or the number under which it is filed, and a brief description of the premises.
4. Indexes to each book of record in which are entered in alphabetical order, the names of each grantor and grantee and page on which the instrument is recorded. This series indexes instruments such as powers of attorney, chattel mortgages, and those recorded by corporations.
5. An index to recorded maps and plats, based on location of property, sometimes arranged by section, township and range.
6. An abstract book, in effect indexing records by showing for some tract every conveyance or incumbrance recorded, its execution and filing date, and the book and page of its recordation. Series optional with county board.
7. A separate book to record certificates of honorable discharge from military, aviation, or naval service.¹²

The recorder, in recording at length any instrument in writing, is permitted to make a handwritten or typewritten transcription, a photographic or photo-static reproduction, or use a combination of these methods.¹³ In addition to the instruments received for recordation, the recorder is required, upon receipt, to file any mortgage, trust deed, or conveyance of personal property having the effect of a mortgage or lien upon such property which is endorsed with the words, "This instrument to be filed, but not recorded." The recorder marks such instruments "filed" and enters upon each the time of their receipt and files them in his office.¹⁴

The recorder keeps all of his records in the circuit clerk's vault on the first floor, excepting one volume not numbered, 1884-1925, of entry 103, as noted.

Entry Books

70. ENTRY BOOK, 1861--. 12 v. (1 not labeled, 2-12).

Register of recorded instruments, showing date, number, and kind of instrument, names of grantor and grantee, consideration, book and page of entry, legal description of property, and date of filing. Also contains Register of Recording Fees, 1861-1904, 1928--, entry 104. Arr. by date of filing. No index. Hdw. under pr. hds. 638 p. 18 x 13 x 3.

71. (ORIGINAL ENTRY BOOK), 1828-59, 1 v. (1).

Record of original land entries as shown by state auditor's certificates, showing date of entry, name of entrant, legal description of land, number of acres, and consideration. Arr. by twp., sec., and range nos. No index. Hdw. 100 p. 17 x 12 x 1/2.

Indexes

72. (TRACT INDEX), 1826--. 5 v. (1, 1½, 3-5).

Register and index of recorded instruments pertaining to each tract of land, including former Morgan County lands, 1826-36, showing legal description of tract, date and nature of instrument, names of grantor and grantee, consideration, date of filing, and book and page of entry in record. Arr. by twp., sec., and range nos. Hdw. under pr. hds. 672 p. 18 x 12 x 3.

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12. L. 1819, p. 8,20,21; R.L. 1829, p. 116,117; L. 1847, p. 69; L. 1853, p. 254; L. 1867, p. 148; L. 1869, p. 2; L. 1871-72, p. 645,646; L. 1873, p. 144; R.S. 1874, p. 834-46; L. 1917, p. 652; L. 1925, p. 521; L. 1933-34, Third Sp. Sess., p. 214.
 13. L. 1933-34, Third Sp. Sess., p. 214.
 14. L. 1925, p. 521; L. 1929, p. 592-94.

73. GENERAL INDEX (Grantor-Grantee), 1827--.
12 v. (1-6 grantor; 1 not labeled, 2-6
grantee).

Index to Deed Record, 1837--, entry 76; Miscellaneous
Record, entry 78; Transcript Record (of Morgan County
Records), 1827-45, entry 79, showing names of grantor
and grantee, number and date of instrument, book and
page of entry, and date of filing. Arr. alph. by names
of grantor and grantee. Hdw. under pr. hdgs. 638 p.
18 x 13 x 3.

74. (LOT INDEX), 1829--. 4 v. (1, 1 1/2, 2, 3).
Register and index of recorded instruments pertaining
to town lots in Cass County, 1837--, including town lots
formerly in Morgan County, 1829-36, showing dates of
instrument and filing, names of grantor and grantee,
legal description of lots, kind of instrument, and book
and page of entry. Arr. by lot and block nos. Hdw.
and typed under pr. hdgs. 672 p. 18 x 12 x 3.

75. INDEX TO PLATS, 1893--. 1 v. (1).
Index to Plat Record, entry 103; and plats recorded in:
Deed Record, entry 76; Miscellaneous Record, entry 78,
showing name of plat, legal description of property,
book and page of entry, and date of filing. Arr. by
twp., sec., and range nos. Hdw. 200 p. 18 x 13 x 1.

Instruments Recorded

General

76. DEED RECORD, 1837--. 82 v. (A-Y, 27-101 not
consecutive, 1837--; 1 not labeled, 1930-33).
Intermittent title variations: Warranty Deed
Record, v. 60-101 not consecutive, 1900--.

Recordation of documents and accompanying plats filed in re-
corder's office consisting of:

- i. Acknowledgments to deeds, 1843-72, showing
date, number and kind of instrument, name of
affiant, legal description of property,
reason for acknowledgment, and dates of
filing and recordation.
- ii. Affidavits, 1872-90, showing date, number,
and kind of instrument, names of affiant
and witnesses, nature of affidavit, and
dates of filing and recordation.
- iii. Articles of agreement, 1852-1911, showing
date, number, and terms of instrument, names
of parties and witnesses to agreement, and
recorder, and dates of filing and recorda-
tion.
- iv. Articles of incorporation of railroads run-
ning through county, 1899, showing names of
railroad, members of board of directors, of-
ficers, and stockholders, amount of capital
stock, number of shares, value per share,
route of railroad, and dates of incorpora-
tion, filing, and recordation.
- v. Assignments, general, 1840-1903, showing
date, number, and kind of instrument, names
of assignor, assignee, and witnesses. con-

sideration and terms of assignment, and dates of filing and recordation.

- vi. Assignments of patent rights, 1858-91, showing date, number, and kind of instrument, names of assignor, assignee, and witnesses, date and nature of patent right, consideration, and dates of filing and recordation.
- vii. Bills of sale, 1855-1910, showing date, number, and kind of instrument, names of vendor and purchaser, itemized list of articles, consideration, and dates of sale, filing, and recordation.
- viii. Certificates of election of trustees, 1847-82, showing names of institution or organization and trustees, dates of election, term of office, filing, and recordation.
- ix. Certificates of incorporation, 1853-99, showing date, number, and kind of instrument, names of organization, members of board of directors, and stockholders, purpose and period of incorporation, number and par value of shares, and dates of filing and recordation.
- x. Certificates of purchase, 1848-1933, showing date, number, and kind of instrument, names and addresses of grantor, grantee, and witnesses, legal description of property, consideration, and dates of filing and recordation.
- xi. Chattel mortgages, 1858, 1859, showing date, number, and kind of instrument, names of mortgagee, mortgagor, and witnesses, description of chattels, consideration, dates of filing and recordation.
- xii. Claims for dower, 1882-86, showing date, number, and kind of instrument, name and age of widow, name and age of deceased husband, place of marriage, legal description of real estate, and dates of filing and recordation.
- xiii. Constitution of Cass County Agricultural Society, 1856, showing date, number, and kind of instrument, names of society, charter members, and officers, articles and provisions of constitution, and dates of filing and recordation.
- xiv. Contracts, 1855--, showing date, number, and kind of instrument, names of contracting parties, conditions and purposes of contract, consideration, and dates of filing and recordation.
- xv. Declarations of vacation, 1871-86, showing date, number, and kind of instrument, name of person making declaration, legal description of real estate, terms, and dates of filing and recordation.
- xvi. Deeds: assignee's, 1844-1900; assignment, 1884-86; auditor's, 1845-54; cemetery, 1870--; commissioner's, 1898--; coroner's, 1843-44; correction, 1885-1910; county, 1851-1932; county clerk's, 1868--; of grant, 1913--; mortgage, 1840-81; right of way, 1847--;

- receiver's, 1881--; release, 1842-1934; special warranty, 1883-1903; school treasurer's, 1845-54; school trustees', 1851-1933; United States Marshal's, 1848-82; United States District Court, master's, 1886-88, showing date, number, and kind of instrument, names of grantor and grantee, legal description of property, consideration, and dates of filing and recordation.
- xvii. Easements, 1928-30, showing date, number, and kind of instrument, names of grantor, grantee, and witnesses, legal description of real estate, consideration, notations of surveyor, and dates of filing and recordation.
- xviii. Land patents: United States, 1850--; Illinois, 1845--, showing date, number, and kind of instrument, names of grantee and government land officials, legal description of property, consideration, land patent number, and dates of filing and recordation.
- xix. Leases, 1856-1900, showing date, number, and kind of instrument, names of lessee and lessor, legal description of property, consideration, terms of lease, and dates of filing and recordation.
- xx. Mortgages, 1850-1928, showing date, number, and kind of instrument, names and addresses of mortgagor, mortgagee, and witnesses, amount and terms of mortgage, legal description of property, and dates of filing and recordation.
- xxi. Partitions, 1885-97, showing date, number, and kind of instrument, names of complainant and defendant, proceedings in partition, cross bill and answer, legal description and real estate, decree of sale, and dates of filing and recordation.
- xxii. Powers of attorney, 1848-94, showing date, number, and kind of instrument, names of grantor and grantee, nature of powers, and dates of filing and recordation.
- xxiii. Releases: dower, 1856-1911; trust deed, 1864-72; vendor's lien, 1864-82, showing date, number, and kind of instrument, names of grantor and grantee, terms of original instrument, consideration, and dates of filing and recordation.
- xxiv. Wills, 1843-87, showing date, number, and kind of instrument, names of testator, heirs, and witnesses, provisions of will, petition for probate, proof of will, and dates of filing and recordation.

Also contains Quitclaim Deed Record, 1837-77, entry 80; Dedication Record, 1848-84, entry 82; Tax Sheriff Deed, 1837-77, 1931--, entry 83; Trust Deed Record, 1837-69, 1910--, entry 84; Plat Record, 1837-83, entry 103. Arr. by date of recordation. Indexed alph. by name of principal; for sep. indexes, see entries 72, 73, 74, and 75; for index to marginal releases and assignments, see entry 77. Hdw. and typed; and hdw. and typed on pr. fm. 600 p. 18 x 13 x 3.

77. INDEX TO MARGINAL RELEASES AND ASSIGNMENTS,
1899-1920. 1 v.

Index to marginal releases and assignments in Deed Record, entry 76, showing names of mortgagor and mortgagee or assignor and assignee, book and page of entry, consideration, and date of filing. Arr. by date of filing. Indexed alph. by name of principal. Hdw. under pr. hdgs. 700 p. 18 x 13 x 3.

78. MISCELLANEOUS RECORD, 1872--. 9 v. (A-I).
Title varies: Circuit Court Record, v. B,
1889-1903.

Recordation of documents and accompanying plats filed in recorder's office including:

1. Affidavits, 1878--, showing date, number and kind of instrument, names of affiant and witnesses, purpose of affidavit, and dates of filing and recordation.
- ii. Agreements, 1876--, showing date, number, and type of instrument, names of parties to agreement, nature and terms of agreement, and dates of filing and recordation.
- iii. Appointments and oaths of circuit clerk's, county clerk's, and sheriff's deputies, 1872-1902, showing dates, nature, and kind of instrument, names of deputy, office, and appointing officer, oath, and dates of filing and recordation.
- iv. Assignments, 1877--, showing date, number, and kind of instrument, names of assignor and assignee, terms and nature of assignment, consideration, and dates of filing and recordation.
- v. Bills of sale, 1874--, showing date, number, and kind of instrument, names of vendor and purchaser, description of articles, consideration, and dates of filing and recordation.
- vi. Bonds for deeds, 1873--, showing date, number, and kind of instrument, names of grantor, and grantee, and sureties, amount and obligations of bond, legal description of property, and dates of filing and recordation.
- vii. Bonds for lodge trustees, 1875-77, showing names of lodge, trustee, and sureties, amount and terms of bond, and dates of filing and recordation.
- viii. Bonds of sheriff, coroner, and circuit clerk, 1872-88, showing date, number, and kind of instrument, names of official and sureties, amount and terms of bond, and dates of filing and recordation.
- ix. Certificates of discharge of soldiers and sailors, 1888, 1925, 1927, 1935--, showing name, age, occupation, and personal description of veteran, reason for discharge, dates and places of enlistment and discharge, names of commanding officers, enlistment record, and date of filing.
- x. Certificates of incorporation and organization, 1872--, showing date, number, and kind of instrument, names of organization, directors, and charter members, purpose and

- location of organization, amount of capital stock, number and par value of shares, duties of officers and directors, and dates of filing and recordation.
- xi. Certificates of registration of male animals, 1895--, showing date and number of certificate, names of owner and stallion, description of animal, terms of service, and dates of filing and recordation.
 - xii. Changes of corporate name, 1929--, showing date, number, and kind of instrument, names of state auditor and directors, old and new names of organization, location, corporate seal, and dates of filing and recordation.
 - xiii. Commissions of justices and magistrates, 1877, 1890, 1909, 1930, and notaries, 1910, 1923, showing date, number, and kind of instrument, nature of official duties, and dates of commission, filing and recordation.
 - xiv. Contracts, 1873--, showing date, number, and kind of instrument, names of contracting parties, terms of contract, and dates of filing and recordation.
 - xv. Declarations of trust, 1930--, showing date, number, and kind of instrument, names of executors, trustee, heir, and deceased, legal description of property, and dates of filing and recordation.
 - xvi. Deeds of rights of way, 1885--, showing date, number, and kind of instrument, names of grantee and grantor, legal description of property, purpose of right of way, consideration, and dates of filing and recordation.
 - xvii. Easements, 1923--, showing date, number, and kind of instrument, names of grantor and grantee, purpose, consideration, legal description of property, and dates of filing and recordation.
 - xviii. Elections to take dower, 1928--, showing date, number, and kind of instrument, names of estate, widow, and notary public, list of chattels or real property selected, and dates of filing and recordation.
 - xix. Leases, 1879--, showing date, number, and kind of instrument, names of lessor and lessee, location and legal description of property, consideration, purpose of business, period and terms of lease, and dates of filing and recordation.
 - xx. Letters testamentary, 1902-26, showing date, number, and kind of instrument, names of estate, executor, and probate judge and clerk, provisions of letters, book and page of entry in court records, and dates of filing and recordation.
 - xxi. Licenses of architects, 1898--, showing date, number, and kind of instrument, names of architect, members of state board of examiners, and recorder, number and date of license, amount of fee, and dates of filing and recordation.
 - xxii. Licenses of veterinarians, 1899--, showing date, number, and kind of instrument, names

- of veterinarian and members of state board of livestock commissioners, number and date of license, term of practice, and dates of filing and recordation.
- xxiii. Liens of agistors, 1895, 1896, showing date, number, and kind of instrument, names of lessor and lessee, legal description of pasture, description of pastured livestock, and dates of filing and recordation.
 - xxiv. Liens on gets, 1889, 1902, showing date, number, and kind of instrument, date and number of stallion certificate, description of serviced female, amount of lien, and dates of filing and recordation.
 - xxv. Lists of bank stockholders, 1889-- , showing names of bank stockholders, and president, number of shares held by each, value, certification of cashier, and dates of filing and recordation.
 - xxvi. Powers of attorney, 1873-- , showing date, number, and kind of instrument, names and addresses of principals, period and nature of powers, and dates of filing and recordation.
 - xxvii. Releases, 1880-- , showing date, number, and kind of instrument, names of grantor, grantee, and witnesses, consideration, nature of release, book and page of entry of original document, and dates of filing and recordation.
 - xxviii. Revocation of powers of attorney, 1902-- , showing date, number, and kind of instrument, names of grantor and grantee, reason for revocation, and dates of original appointment, filing, and recordation.
 - xxix. Transfers of bank stock, 1899-- , showing date, number, and kind of instrument, names of old and new stockholders, number and value of stock, and name of bank.
 - xxx. Waivers of liens, 1935-- , showing date, number, and kind of instrument, names of property owner and contractor, legal description of property, amount and nature of lien, and dates of filing and recordation.
 - xxxi. Wills, 1874, showing date, number, and kind of instrument, names of testator, heirs, and witnesses, provisions, proof of will, and dates of filing and recordation.

Also contains Dedication Record, 1885-1920, entry 82; Township (School) Treasurers' Bond Record, 1897, 1917, entry 96; Stallion Renewal Record, 1918-- , entry 100. Arr. by date of recordation. Indexed alph. by name of principal; for sep. indexes, see entries 72, 73, 74, and 75. 1873-1904, hdw.; 1905-- , typed. 595 - 606 p. 19 x 13 x 3.

79. TRANSCRIPT RECORD (of Morgan County Records), 1827-45. 4 v. (1-4).

Transcripts of recorded instruments pertaining to former Morgan County territory, showing names of principals, consideration, legal description of property, and dates of instrument and filing. Also contains Plat Record, 1829-

36, entry 103. Arr. by date of filing. Indexed alph. by name of principal; for sep. index, 1827-45, see entry 73. Hdw. 455 - 639 p. 15 x 11 x 2 1/2 - 16 1/2 x 12 x 3 1/2.

Deeds

80. QUITCLAIM DEED RECORD, 1878--. 11 v. (39, 47, 55, 59, 68, 76, 86, 87, 95, 99, 102). 1837-77 in Deed Record, entry 76.

Recordation of quitclaim deeds, showing names of grantor and grantee, legal description of property, consideration, acknowledgment, and dates of instrument, filing, and recordation. Arr. by date of recordation. Indexed alph. by name of grantor. 1878-1934, hdw. on pr. fm.; 1935--, typed. 550 p. 18 x 13 x 3.

81. MASTER'S DEED RECORD, 1878--. 3 v. (36, 82, 1878--; 46, 1883-1915). Title varies: Master's Certificate Deed, v. 36, 1878-1917; Master's Guardian's and Administrator's Deeds, v. 46, 1883-1915.

Recordation of master's, guardian's, and administrator's deeds, showing names of grantor, grantee, and estate, consideration, legal description of property, and dates of instrument and filing. Arr. by date of filing. Indexed alph. by name of grantor. 1878-97, hdw.; 1898-1922, hdw. on pr. fm.; 1923--, hdw. and typed on pr. fm. 600 p. 18 x 13 x 2 1/2.

82. DEDICATION RECORD, 1921--. 3 v. (1-3). Last entry 1936. Title varies: State Road Plats and Deeds, v. 1, 1921-30. 1848-84 in Deed Record, entry 76; 1885-1920 in Miscellaneous Record, entry 78.

Recordation of right-of-way dedications for public roads, showing names of grantor and grantee, consideration, legal description of property, acknowledgment, and date of filing. Arr. by date of filing. Indexed alph. by name of grantor. Hdw., hdw. on pr. fm., typed, and typed on pr. fm. 354 - 554 p. 14 1/2 x 12 x 3 1/2 - 18 x 13 x 3.

83. TAX SHERIFF DEED, 1878-1930. 1 v. (37). 1837-77, 1931-- in Deed Record, entry 76.

Recordation of sheriff's tax deeds, showing names of grantor and grantee, legal description of property, acknowledgment of deed by sheriff, and dates of instrument, court decree, sale, and filing. Arr. by date of filing. Indexed alph. by names of grantor and grantee. Hdw. on pr. fm. 594 p. 18 x 13 x 3.

84. TRUST DEED RECORD, 1870-1909. 4 v. (A, 1870-87; 41, 1878-82; 33, 35, 1877-1909). Title varies: Trust Deed Mortgage Record, v. A, 1870-87; Trustees and Trust Deed Record, v. 41, 1878-82. 1837-69, 1910-- in Deed Record, entry 76.

Recordation of trust deeds, showing names of grantor and grantee, consideration, legal description of property, and dates of deed and filing. Arr. by date of filing.

Indexed alph. by name of grantor. V. A, 1870-87, 33, 35, 1877-1909, hdw.; v. 41, 1878-82, hdw. on pr. fm. 592 p. 18 x 13 x 3.

Mortgages - Real Property
(See also entry 76 (xx))

85. MORTGAGE RECORD, 1837--. 64 v. (A-Z, 1837-1904; 27-64, 1901--).

Recordation of real estate mortgages, including marginal releases, 1837-71, showing names and addresses of mortgagor and mortgagee, amounts of mortgage and payments, legal description of property, stipulations, acknowledgment, and dates of instrument, maturity, filing and recording. Also contains Chattel Mortgage Record, 1840-69, entry 90. Arr. by date of filing. Indexed alph. by name of mortgagor; for sep. index, see entry 86. 1837-67, hdw.; 1868--, hdw., hdw. and typed on pr. fm., and typed. 640 p. 18 x 13 x 3.

86. GENERAL INDEX (Mortgagor-Mortgagee), 1837--. 8 v. (1 not labeled, 1-3 mortgagor; 1 not labeled, 2-4 mortgagee).

Index to Mortgage Record entry 85, showing names of mortgagor and mortgagee, date and amount of mortgage, legal description of property, book and page of entry, and date of filing. Arr. alph. by names of mortgagor and mortgagee. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3.

87. RELEASE RECORD, 1872--. 28 v. (1-28).

Recordation of mortgage releases, showing names of mortgagor and mortgagee, legal description of property, consideration, book and page of entry of original mortgage, and dates of instrument and filing. Arr. by date of filing. Indexed alph. by name of grantor. Hdw. on pr. fm. 596 p. 18 x 13 x 3.

Mortgages - Chattel (See also entry 76 (1x))

88. (UNRECORDED CHATTEL MORTGAGES), 1934--. 6 f.b. (A-F).

Chattel mortgages, filed but not recorded, showing names of mortgagor and mortgagee, date and amount of mortgage, description of chattel property, acknowledgment, and date of filing. Arr. alph. by name of mortgagor. No index. Hdw. and typed on pr. fm. 13 x 10 x 5.

89. ABSTRACT OF FILED CHATTEL MORTGAGES, 1939--. 1 v. (1).

Register of filed chattel mortgages, showing date and number of instrument, names of mortgagor and mortgagee, description of chattels, amount of mortgage, and dates of execution, release, and filing. Arr. alph. by name of mortgagor. No index. Hdw. under pr. hdgs. 580 p. 18 x 13 x 3.

90. CHATTEL MORTGAGE RECORD, 1870--. 49 v. (A-Z, 1870-1924; AA-WW, 1917--). 1840-69 in Mortgage Record, entry 85.

Recordation of chattel mortgages, showing names of mortgagor and mortgagee, date and amount of mortgage, rate of interest, description of chattels, and dates of maturity and filing. Also contains Chattel Mortgage (Extension) Record, 1870-1920, entry 92. Arr. by date of filing. 1870-78, indexed alph. by names of mortgagor and mortgagee; for sep. index, 1879--, see entry 91. 1870, hdw.; 1871-1913, hdw., and hdw. on pr. fm.; 1914--, typed and typed on pr. fm. 580 p. 18 x 13 x 3.

91. CHATTEL MORTGAGE INDEX, 1879--. 3 v. (1-3). Index to Chattel Mortgage Record, entry 90, showing date of filing, names of mortgagor and mortgagee, and book and page of entry. Arr. alph. by names of mortgagor and mortgagee. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3.

92. CHATTEL MORTGAGE (Extension) RECORD, 1921--. 1 v. (DD). 1870-1920 in Chattel Mortgage Record, entry 90.

Recordation of chattel mortgage extensions, showing names of mortgagor and mortgagee, description of chattels, period of extension, acknowledgment, and date of filing. Arr. by date of filing. Indexed alph. by name of mortgagee. Hdw. on pr. fm. 596 p. 18 x 13 x 3.

93. INDEX TO LIENS ON CHATTELS (Record of Liens on Chattels), 1923--. 1 v. (1).

Record of liens on chattels, showing names of claimant and defendant, description of property, date and amount of lien, notation of release, and date of filing. Arr. by date of filing. Indexed alph. by name of claimant. 1923-31, hdw. on pr. fm.; 1932--, typed. 300 p. 18 x 13 x 2.

Certificates of Levy, Sale, and Redemption

94. SHERIFF'S CERTIFICATES OF LEVY (Sale and Redemption), 1841-1929. 3 f.b. 1837-40, 1930-- in Common Law Files, entry 161.

Sheriff's certificates of levy, sale, and redemption, including master's certificates of sale and redemption, showing names of plaintiff, defendant, sheriff, and court, dates and amounts of judgment, execution, and fee bill, date, place, and amount of sale, legal description of property, date and number of instrument, and dates of filing and recording. Arr. by date of filing. No index. 1841-78, hdw.; 1879-1901, hdw. on pr. fm.; 1902-29, hdw. and typed on pr. fm., and typed. 10 x 5 x 14.

95. MASTER'S AND SHERIFF'S CERTIFICATES, 1841--. 3 v. (1-3). Title varies: Record of Sheriff's Certificates of Levy, Sale and Redemption, v. 1, 1841-1912.

Copies of master's and sheriff's certificates of sale and redemption and sheriff's certificates of levy, show-

ing certificate number, names of plaintiff, defendant, purchaser, and master or sheriff, dates and amounts of levy, sale, or redemption, legal description of property, consideration, and date of filing. Arr. by date of certificate. Indexed alph. by name of plaintiff. 1841-1907, hdw.; 1908-- , hdw. and typed on pr. fm. 566 p. 18 x 13 x 3.

Bonds of Officers

(See also entry 78 (viii))

96. TOWNSHIP (School) TREASURERS' BOND RECORD, 1890-96, 1898-1916, 1918-21. 1 v. (1).

1897, 1917 in Miscellaneous Record, entry 78.

Recordation of bonds of township school treasurers, showing names of principal, sureties, and school trustees, date, amount, and terms of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of treasurer. Hdw. on pr. fm. 300 p. 18 x 13 x 2.

Other Instruments

97. REGISTER OF FARM NAMES, 1915-- . 1 v. (1).

Last entry 1925.

Copies of farm name registration certificates, showing owner's name and address, name and legal description of farm, number of acres, and date of registration. Arr. by date of registration. No index. Hdw. on pr. fm. 300 p. 17 x 12 x 1.

98. SOLDIERS' DISCHARGES, 1864-65, 1918, 1919. 2 v. (A, 1).

Record of army, navy, and marine discharges, showing name, age, occupation, and personal description of veteran, reason for discharge, dates and places of enlistment and discharge, name of commanding officer, enlistment record, and date of filing. Arr. by date of filing. Indexed alph. by name of veteran. Hdw. on pr. fm. 418 p. 18 x 13 x 2 1/2.

For subsequent recordation of discharges, see entry 78 (ix).

99. STALLION RECORD, 1888-1917. 2 v. (1, 1).

Title varies: Certificates State Board of Agriculture, v. 1, 1888-1910.

Recordation of stallion certificates, showing certificate and registration numbers, names of owner, examiner, and breeder, name, description, and date of foaling of stallion, and dates of expiration of license and filing. Also contains Stallion Renewal Record, 1888-1910, entry 100. Arr. by date of filing. Indexed alph. by name of owner. Hdw. on pr. fm. 300 p. 17 x 12 x 2.

For other concurrent and subsequent stallion certificates, see entry 78 (xi).

100. STALLION RENEWAL RECORD, 1911-17. 1 v. (A).

1888-1910 in Stallion Record, entry 99;

1918-- in Miscellaneous Record, entry 78.

Recordation of renewals of stallion certificates, showing certificate number, names of owner, examiner, and breeder, name and description of stallion, date of foal-

ing, and dates of expiration of license, renewal, and filing. Arr. by date of filing. Indexed alph. by name of owner. Hdw. on pr. fm. 296 p. 18 x 13 x 2.

101. AUDITOR'S CERTIFICATE OF ENTRY, 1826-65. 1 v. (1).

Lists of abstracts of lands transmitted by state auditor to county clerk for lands previously not entered and sold, and canal and school lands, showing date of conveyance, name of owner, value, and legal description of property. Arr. by twp., sec., and range nos. No index. Hdw. 300 p. 17 x 12 x 1.

102. SWAMP RECORD, 1850-57. 1 v.

Record of sales of swamp lands, showing name of drainage commissioner, legal description of lands and parcels sold, date and amount of sale, and name of purchaser. Arr. by twp., sec., and range nos. No index. Hdw. 400 p. 16 1/2 x 10 x 1 1/2.

Plats

103. PLAT RECORD, 1884--. 2 v. (1 not labeled, 1884-1925; 1, 1893--). Title varies: Surveyor's Record, 1 v., 1884-1925. 1829-36 in Transcript Record (of Morgan County Records), entry 79; 1837-83 in Deed Record, entry 76.

Recordation of plats of county surveyor's surveys, showing section, township and range, date, plats of survey, surveyor's name, and date of recording. Arr. by twp., sec., and range nos. 1884-1892, no index; for index, 1893--, see entry 75. Hdw. and hand-drawn. 300 p. 14 x 12 x 2 - 27 1/2 x 21 x 3. 1 v. not labeled, 1884-1925, co. clk.'s off., 1st fl.

Fees

104. REGISTER OF RECORDING FEES, 1905-27. 2 v. (C, D). 1861-1904, 1928-- in Entry Book, entry 70.

Register of fees received for recordation of instruments, showing date, number, and type of instrument, amounts earned and received, name of payer, and amount of earnings previously reported. Arr. by date of entry. No index. Hdw. under pr. hdgs. 638 p. 18 x 12 x 3.

IV. COUNTY COURT

The county court serves as the judicial branch of county government. This court is administered by the county judge who is elected for a four-year term by the county electorate. Before entering upon the duties of his office, the county judge is required to take and subscribe to an oath which he files with the Secretary of State. The compensation of the Cass county judge was originally set at \$2.50 per diem for holding court, which was paid quarterly out of the county treasury.¹ Today, the judge in this county receives \$2,500 per annum.² The court hears and determines matters in which it has original or concurrent jurisdiction, including appeals from the justices of the peace and police magistrates.³

At the time of the organization of Cass County, the powers of the judiciary in all counties were administered only by the justices of the peace,⁴ the probate justice,⁵ and the circuit court.⁶ Later, a civil and criminal court with jurisdiction coextensive with the county lines was established under the provisions of the Constitution of 1848 and legislation of 1849.⁷ The court created was the county court. This unit of county government was established with a partial reversion to the dual function, administrative and judicial, of the local judiciary in Illinois under the Territorial Laws prior to 1818. The court was different from the territorial courts in that its composition varied for each of the two functions. The judicial court was administered by the county judge, who was elected by the county electorate and commissioned by the Governor.⁸ His original four-year tenure of office has remained effective to the present. As the administrative body, the court was made up of the county judge and two justices of the peace.⁹

Under the second constitution complete separation of county business powers from the judicial could be had with the acceptance by the county electorate of an independent administrative body, the board of supervisors, established under township organization.¹⁰ This plan of government was not selected during this period, and Cass was governed by the dual county court until 1873 when the board of county commissioners became suc-

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1. L. 1849, p. 62,63.
 2. L. 1938, First Sp. Sess., p. 30.
 3. L. 1881, p. 70.
 4. Const. 1818, Art. IV, sec. 8; L. 1819, p. 192.
 5. L. 1837, p. 176,177.
 6. L. 1819, p. 380.
 7. Const. 1848, Art. V, sec. 1, 16; L. 1849, p. 62.
 8. Const. 1848, Art. V, sec. 17; L. 1849, p. 62,66; R.S. 1874, p. 339; L. 1933, p. 451.
 9. L. 1849, p. 65.
 10. Const. 1848, Art. VII, sec. 6; L. 1849, p. 192,202-4; L. 1851, p. 38, 50-52.

cessor to the county court in its jurisdiction over county affairs and business. From that date on, the county court has served only as a judicial court in Cass County.

The county court as established in 1849 was vested with the same civil and criminal jurisdiction as the justices of the peace. The county judge was made a conservator of the peace. He was given the same power and authority as the circuit judge in preserving order in the court and punishing contempts offered the court while in session.¹¹ Suits for the sale of delinquent lands for taxes of 1848, and prior years, could be brought and presented in either the circuit or county court, but for taxes of subsequent years, the county court was given exclusive original jurisdiction.¹² The court also exercised jurisdiction equal with that of the circuit court over naturalization.¹³

In addition to its civil and criminal jurisdiction, the court was vested with all the powers and jurisdiction in probate matters which were vested prior to this date in the court to the probate justice. The court was given concurrent jurisdiction with the circuit court in hearing and determining applications for the sale of real estate of deceased persons and for the payment of debts of the estate.¹⁴ In Cass County the county judge has served to the present day in an ex officio capacity as judge of the probate court.¹⁵

The law jurisdiction of the county court in Cass County is concurrent with that of the circuit court in that class of cases wherein the justices of the peace has jurisdiction where the value of the amount in controversy does not exceed \$2,000,¹⁶ in all cases of appeals from justices of the peace and police magistrates, and in all criminal offenses and misdemeanors where the punishment is not imprisonment in the penitentiary or death.¹⁷ The county court also has original juris-

11. L. 1849, p. 65.

12. Ibid., p. 126.

13. 2 U.S. Stat. 155.

14. L. 1849, p. 65.

15. Const. 1848, Art. V, sec. 16,18; L. 1849, p. 65; Const. 1870, Art. VI, sec. 18; R.S. 1874, p. 339, 340; L. 1933, p. 449, 458.

16. Under the laws of 1872 and the revised statutes of 1874, the jurisdiction was in cases wherein the amount involved did not exceed \$500 (L. 1871-72, p. 325; R.S. 1874, p. 339,340). Legislation enacted in 1933 extended the jurisdiction to \$2,000 (L. 1933, p. 452), but a later amendment of the same session, passed June 21, 1933, placed the jurisdiction in cases where the amount involved is not over \$1,000 (ibid., p. 449). In 1939, jurisdiction was again extended to \$2,000 (L. 1939, p. 492).

17. R.S. 1874, p. 340; L. 1877, p. 77; L. 1895, p. 212, 223; L. 1933, p. 449-51.

diction in matters relating to indigent mothers,¹⁸ and jurisdiction over insane persons not charged with crime.¹⁹

The county and circuit courts have original jurisdiction in cases of juvenile offenders. This jurisdiction is over matters dealing with dependent, neglected, and delinquent children. The authority includes provision for the treatment, control, maintenance, adoption, and guardianship of such children.²⁰

In 1899, provision was made for the appointment by the court of a juvenile probation officer to serve without compensation from the public treasury and at the pleasure of the court.²¹ In 1907 an amendment to this act authorized the court to allow compensation to such officers in a sum to be set by the county board, but the power of the court to appoint probation officers to serve without pay was in no way abridged by this legislation.²² An amendment of 1925 provided that if more than one probation officer were appointed, one was to be designated as chief probation officer. To be eligible for the position of chief probation officer, the candidate was required to have had experience in social welfare work equivalent to one year spent in active practical welfare work. Minimum rates, based upon population, were established for the compensation of these officers, the county board to fix the amount. Where a county had only one probation officer, the salary rates were made to apply to that individual. The court, however, retains the power to appoint probation officers to serve without pay.²³ For Cass County, and others with a population not exceeding 25,000,²⁴ the rate is set at a sum of \$50 a year for each 1,000 inhabitants, but not to exceed \$900 annually.

The officer under consideration makes investigation on order of the court and takes charge of the child before and after trial. He is required to be present at the court hearings in order that he may represent the interest of the child. This officer also furnishes information and assistance as required by the court.²⁵

Upon petition filed with the clerk of the court for the removal of a neglected or dependent child from the custody of its parents or guardian, process is issued for appearance. The summons may be served by the sheriff or the duly appointed probation officer.²⁶

18. L. 1913, p. 127; L. 1915, p. 243; L. 1921, p. 162-64; L. 1935, p. 256-59.

19. L. 1869, p. 366; R.S. 1874, p. 685.

20. L. 1899, p. 131-37; L. 1901, p. 141-44; L. 1905, p. 152-56; L. 1907, p. 70-78.

21. L. 1899, p. 133.

22. L. 1907, p. 69,70.

23. L. 1925, p. 187,188.

24. The population of Cass County is listed as 16,410, according to 1940 preliminary census figures.

25. L. 1899, p. 133; L. 1925, p. 187,188.

26. L. 1899, p. 132,133; L. 1905, p. 153,154; L. 1907, p. 72,73.

At any time after the filing of the petition and pending the final disposition, the court may allow the child to remain in the possession of its custodian, or in its home subject to the visitation of the probation officer; or the child may be ordered into the custody of the probation officer.²⁷ If upon hearing the case the court finds the child to be dependent or neglected, the court may commit the child to an association or institution, or allow the child to remain in his home subject to the visitation of the probation officer.²⁸ In a similar fashion the probation officer for adults, an appointee of the circuit court, assists the county court in the administration of justice among adult violators.²⁹

In cases of delinquency, if the court finds any child to be delinquent, the court may commit the child to an institution or to the custody of the probation officer. The court may upon its discretion, send juvenile offenders and vagrants to the state reform school rather than to the county jail.³⁰

Another probation officer, an appointee of the county court, assists the court in mothers' pension cases. The state and county funds for indigent mothers and their children are administered by the county court, its appointed probation officers, the county board with the assistance of the county clerk, the county treasurer, and the State Department of Public Welfare. The county court, however, is given original jurisdiction in these matters.³¹

A mother whose husband is dead or incapacitated or who is abandoned by her husband, is entitled to the benefits of the mothers' pension fund when she is in need. Such mother may file an application with the county court for relief. The case of the applicant is then investigated by the probation officer under the direction of the court.³² A report and recommendation of the approval or disapproval of such application is then made by this officer of the court. If the application is approved, the probation officer or other person may file with the clerk of the court a written petition verified by affidavit setting forth the facts giving the court jurisdiction and other facts, upon which an order for relief is entered. Upon receipt of the petition, a summons is issued to the mother and the county board for appearance. The usual procedure is for the board to make a written appearance. Upon the hearing in court, the court may make an order upon the

27. Ibid., p. 74.

28. L. 1923, p. 180,181.

29. L. 1911, p. 280-82.

30. L. 1907, p. 75.

31. L. 1913, p. 127-30; L. 1915, p. 243-45; L. 1921, p. 162-64; L. 1935, p. 256-59.

32. L. 1913, p. 127-30; L. 1915 p. 244; L. 1935, p. 256-59.

county board to pay monthly such money as may be necessary for the care of the mother and her child or children in accordance with the provisions of law.³³

To carry out this procedure, the county court appoints the probation officer who serves during the pleasure of the court and is compensated for his services by the county in such amount as determined by the county board. As noted above, this officer is required to investigate all applications for relief and make a written report to the court. In addition to this duty, the probation officer makes quarterly visits and supervises, under the direction of the court, the families to which such assistance has been granted.³⁴

The county board annually levies a tax on all taxable property to provide for the mothers' pension fund. The levy is made not in excess of two fifths of one mill on a dollar in Cass County.³⁵ In addition, the General Assembly, from time to time, makes appropriations to the State Department of Public Welfare, the funds, in turn, being distributed to the several counties to supplement the pension fund. To become entitled to the state appropriations, the county must meet the standards of administration set by the state agency. The county treasurer certifies to the state department an itemized statement, attested by the county clerk, of the money paid out during each quarter in accordance with the legislative provisions for this pension and also certifies annually the total assessed valuation and amount of money raised by tax levy for the mothers' pension fund.³⁶

Jurisdiction in the election procedure is vested variously in the county board, the county court, and the county clerk. In the event that any city, village, or incorporated town adopts the City Election Act the county judge appoints a board of three election commissioners to have charge of elections in that political unit. Only one such board, however, is appointed in each county. This board has jurisdiction over elections in all cities, villages, or incorporated towns which may adopt the act.³⁷ Otherwise, jurisdiction is vested in the county board, county court, and county clerk. The county court has original jurisdiction in election contests for certain county, district, and township offices.³⁸

Aiding in the settlement of questions arising in

33. L. 1913, p. 127-30; L. 1935, p. 257-59.

34. L. 1913, p. 129,130; L. 1935, p. 258.

35. L. 1919, p. 780,781; L. 1927, p. 196,197; L. 1928, First Sp. Sess., p. 3,4; L. 1933, p. 194,195.

36. L. 1935, p. 259.

37. L. 1885, p. 147-49; L. 1899, p. 163-65; L. 1917, p. 445,446; L. 1929, p. 339; L. 1933, p. 534; L. 1935-36, Fourth Sp. Sess., p. 35.

38. L. 1871-72, p. 396.

the course of the election procedure is the county officers' electoral board. This body consists of the county judge as chairman, the county clerk, and the state's attorney.³⁹

The several nomination papers for county offices are filed with the county clerk and are considered valid unless objections are made within five days after the last day for filing such papers. Objections to nominations are made to the county officers electoral board for any office of the county, park district, or other division coterminous with or less than the county and other than a city, village, incorporated town, or township.⁴⁰ The objector's petition is filed with the county clerk who presents the same, together with the nomination papers or certificate, before the electoral board.⁴¹ The petition contains the objector's name and residence, the nature of the objection, the interest of the objector, and the relief sought of the board.⁴² A notice of the hearing is sent to the candidate. Upon hearing the objections, the board renders a final decision by majority vote. In the event the candidate whose nomination is protested is a member of the electoral board, the circuit judge is required to fill his place.⁴³

Jurisdiction is vested in the county court to hear and determine all questions relative to taxes or gifts, legacies and inheritance.⁴⁴ The act granting this jurisdiction is generally known as the "Inheritance Tax Law." Originally, the state's attorney was charged with the duty of enforcing the provisions of this law,⁴⁵ however, since 1913 these duties have been performed by the Attorney General.⁴⁶ Under that law the county judge and county clerk are each required every three months to make a statement in writing to the county treasurer of the property from which or the party from whom he has reason to believe a tax under this act is due and unpaid.⁴⁷ The county treasurer is required to collect and pay to the State Treasurer all taxes that may be due and payable under the act.⁴⁸

Under an act of 1933, housing corporations may be organized in Illinois for the express purpose of improving housing conditions.⁴⁹ Such corporations are subject to the supervision and control of the State

39. L. 1891, p. 110,111; L. 1933, p. 552.

40. L. 1891, p. 110,111; L. 1929, p. 394.

41. L. 1891, p. 111; L. 1929, p. 394; L. 1933, p. 552.

42. L. 1929, p. 394,395.

43. L. 1933, p. 552.

44. L. 1895, p. 306; L. 1909, p. 318.

45. L. 1895, p. 306; L. 1909, p. 319.

46. L. 1913, p. 615,616; L. 1935, p. 1179,1180.

47. L. 1895, p. 306; L. 1909, p. 319; L. 1913, p. 516.

48. L. 1895, p. 307; L. 1909, p. 319; L. 1913, p. 516.

49. L. 1933, p. 396-415; L. 1933-34, Third Sp. Sess., p. 167-74.

Housing Board. This state agency has authority, after investigations and public hearings, to approve the acquisition of property and construction of housing projects. If the State Housing Board approves a project over the objections of a ten per cent of the property owners within a mile, but not included in the project, it must then file an application with the clerk of the county court to be submitted to the judge of the county court for the confirmation of its approval. Such application is to contain copies of the findings and order of the board, transcript of testimony, description of the project and public spaces, statement of location, and reasons for approval by the board. The objectors to the project may file objections in the county court to the confirmation of such a project. The county judge then examines the application, objections, and any additional evidence before rendering a decision of "approved" or "not approved" on the application.⁵⁰

Appeals from the judgments and decisions of the county court may be taken to the circuit court.⁵¹ To the appellate court or Supreme Court may be taken and prosecuted appeals and writs of error in proceedings for the sale of lands for taxes and special assessments, in all common law and attachment cases, and in cases of forcible detainer and forcible entry and detainer. Such appeals and writs of error are, when not otherwise provided, taken and prosecuted in the same manner as appeals and writs of error from the circuit court.⁵²

The records of the county court are kept by the clerk. In Cass County the county clerk is clerk ex officio of the county court. In addition to the statutory records described below, the clerk necessarily maintains others in effecting the court's orders.⁵³

For the court the clerk keeps the following records:

1. Books of record of the proceedings and judgments of the court with alphabetical indexes by names of parties. Proceedings are recorded at length only in cases designated by law or when the court, at the motion and assumption of expenses by one of the parties, so orders. In practice, the court record has been broken down from an early date into segregated types of proceedings and judgments.

2. "Plaintiff-Defendant Index to Court Records"

50. L. 1933, p. 396-415; L. 1933-34, Third Sp. Sess., p. 167-74.

51. L. 1933, p. 396.

52. R.S. 1874, p. 339; L. 1877, p. 77; L. 1881, p. 66.

53. The form which such records take is generally determined by court order (L. 1949, p. 66; R.S. 1874, p. 262, 263).

and "Defendant-Plaintiff Index to Court Records," intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.

3. A general docket in which all suits are entered in the order they are commenced.
4. A judgment and execution docket containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's and bar docket. In practice, the bar docket has tended to drop out of use.⁵⁴
6. A fee book in which costs and fees are to be entered under the proper title of the cause. In practice, separate series of volumes are maintained under these titles of causes.
7. Transcripts of proceedings in appeals from justices' courts, dockets thereof, and transcripts of judgment for liens, etc., from justices' courts.
8. Naturalization records including petitions, proceedings, final certificates, etc. The county courts in Illinois prior to 1906 met the requirement of Federal statutes to exercise naturalization jurisdiction.⁵⁵
9. Original documents used in court hearings and determinations; of particular importance in the large number of cases where complete proceedings are not spread on court record.⁵⁶
10. Monthly reports of the warden of the county jail containing a list of all prisoners in his custody and showing the cause of commitment and names of persons by whom committed.⁵⁷

54. The Civil Practice Act of 1933 grants authority to county courts, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L. 1933, p. 786).

55. 2 U.S. Stat. 153; U.S.R.S. 1789-1874, p. 378.

56. R.S. 1845, p. 323,324, 414,418,419; L. 1865, p. 79, 80; L. 1871-72, p. 325; R.S. 1874, p. 262,263; U.S. R.S. 1789-1874, p. 378-80; 34 U.S. Stat. 596-607; 44 U.S. Stat. 709,710.

57. R.S. 1874, p. 617; L. 1933, p. 678.

Proceedings of Court

105. (COMMON AND CRIMINAL LAW CASE FILES), 1837--.
In (County Clerk's Miscellaneous Files),
entry 66.

Documents in county court common and criminal law cases, including adoption cases, 1872--; drainage and levee assessment cases, 1874--; insolvency cases, 1870-88; feeble-minded cases, 1916--; insanity cases, 1855--; naturalization cases, 1856-1910; dependent and delinquent cases, 1854-1936; street improvement assessment cases, 1900--; and railroad suits, 1853-89; these documents include attachments, summonses, subpoenas, pleas, warrants, affidavits, depositions, commitments, stipulations, answers, replications, appeals, jury lists, instructions, and verdicts, appeals and transcripts from justice of peace courts, exhibits, court orders, petitions, plats, assessment rolls, entries of appearance, proofs of mailing, objections to assessments, copies of ordinances, declarations of intention, petitions and final certificates of citizenship, writs of inquisition, findings of jury and insanity commissions, condemnation orders, tax levies, reports of commissions, petitions and orders of adoption, discharges, appeal bonds, fee bills, schedules of real and personal property, indentures of apprentices, indictments, witness affidavits, appeal, recognizance, and bail bond, orders releasing bondsmen, and village and township organization papers. For index, see entry 1. Hdw., typed, and hdw. and typed on pr. fm.

106. COUNTY COURT RECORD, 1872--. 5 v. (1-5).
Title varies: Probate Court Record, v. 3,
1910-30.

Record of common law and criminal cases, including default, confession of judgment, adoption, dependency, delinquency, and probation cases, showing date, number and nature of case, names of plaintiff, defendant, and attorneys, proceedings, and court orders. Also contains Recognizance Record, 1872-83, 1890--, entry 108; Insanity Record, 1884-92, entry 110. Arr. by date of case. Indexed alph. by names of plaintiff and defendant. 1872-1909, hdw.; 1910--, typed. 640 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

107. ASSIGNMENT RECORD, 1878-88. 1 v. (A).
1841-77 in Probate Court Record, entry
132; 1889-- in Miscellaneous Record,
entry 67.

Record of assignments of lands, chattels, and effects to be sold and disposed for benefit and use of creditors, showing date of assignment, names of debtors and assignee, date, amount, and obligations of assignee's bond, inventory and valuation of real and personal property, list of articles exempt by law, names and addresses of creditors, amounts of claims, and report of assets of debtor against claims of creditor. Arr. by date of entry. Indexed alph. by name of assignor. Hdw. on pr. fm. 422 p. 18 x 13 x 2 1/2. co. clk.'s off., 1st fl.

108. RECOGNIZANCE RECORD, 1884-89. 1 v. (1).
1872-83, 1890-- in County Court Record,
entry 106.

Copies of recognizance bonds, showing names of plaintiff, defendant, and sureties, date, amount, and terms of bond, nature of crime, and certification of sheriff. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 416 p. 18 x 12 1/2 x 2. Co. clk.'s off., 1st fl.

109. INSANE FILES, 1892--. 8 f.b.

Documents in insanity cases, including writs of inquiry, petitions, reports of insanity commissions, jury verdicts, and decrees of commitment or discharge. Arr. alph. by name of patient. No index. Hdw. and typed on pr. fm. and typed. 10 x 4 1/2 x 13. Co. clk.'s off., 1st fl.

110. INSANITY RECORD, 1893--. 3 v. (B, D, E).

1855-83 in Probate Court Record, entry 132;

1884-92 in County Court Record, entry 106.

Record of proceedings in insanity cases, showing date of case, names of alleged insane, petitioner, judge, clerk, sheriff, witnesses, and members of jury or commission, findings of jury or commission, and orders of court. Arr. by date of case. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 296 p. 18 x 13 x 2. Co. clk.'s off., 1st fl.

111. PAVING BEARDSTOWN DISTRICTS, 1900-1925.

4 f.b. (56, 138, 139, 1900-1918; 1 not labeled, 1907-25).

Beardstown paving district documents, including petitions, affidavits, ordinances, engineers' and commissioners' reports, estimates, bids, contracts, tax levies, special assessments, contractors' and paving district commissioners' bonds, and court orders. Arr. by date of filing. For index, see entry 1. Hdw. under pr. hdgs. and on pr. fm. 10 x 4 1/2 x 13. Co. clk.'s off., 1st fl.

112. (INHERITANCE TAX RECORD), 1910--. 1 v.

Record of inheritance tax cases, showing date of case, names of estate and heirs, relationship of heirs to decedent, amount bequeathed each heir, valuation by appraiser, and rate and amount of tax. Arr. by date of case. No index. Hdw. under pr. hdgs. 100 p. 18 x 11 x 1/2. Strm., bsmt.

Dockets

Court Dockets

113. JUDGMENT DOCKET, 1850--. 3 v. (1 not labeled, 1850-68; A, 1857-63; 1, 1872--).
Missing: 1869-71.

Docket of judgments, showing case number, term date, names of plaintiff and defendant, type of action, amounts of debt, damages, and costs, and court orders. Arr. by date of case. Indexed alph. by name of defend-

ant. 1850-56, hdw.; 1857-- , hdw. and hdw. under pr. hdgs. 560 p. 18 x 12 1/2 x 2 1/2. Co. clk.'s off., 1st fl.

114. EXECUTION DOCKET, 1850-- . 3 v. (2 not labeled, 1). Missing: 1869-71. Title varies: Execution Book, 2 v., 1850-68.

Docket of executions of judgment, showing date and number of execution, names of plaintiff and defendant, date and amounts of judgment and costs, and dates of delivery and return. Arr. by date of entry. 1850-71, no index; 1872-- , indexed alph. by name of plaintiff. 1850-68, hdw.; 1872-- , hdw. under pr. hdgs. 440 - 624 p. 15 1/2 x 11 x 2 - 18 x 13 x 3. Co. clk.'s off., 1st fl.

115. JUDGE'S DOCKET LAW AND CRIMINAL, 1870-- . 4 v. (1-3, 1 not labeled). Title varies: Judge's Docket, v. 1-3, 1870-1937.

Judge's docket of county court cases, showing date and number of case, names of plaintiff and defendant, type of action, and abstract of proceedings. Also contains Docket of Fines, 1897-- , entry 120. Arr. by date of case. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 636 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

116. INSANITY DOCKET, 1893-- . 3 v. (1 not labeled, 2, 3).

Docket of insanity cases, showing date of case, names of alleged insane person, petitioner, and witnesses, findings of jury or commission, and court order. Arr. by date of case. Indexed alph. by name of patient. Hdw. under pr. hdgs. 289 p. 18 x 12 1/2 x 2. Co. clk.'s off., 1st fl.

117. INHERITANCE TAX DOCKET, 1910-- . 1 v. (2). 1908-9 in Judge's Probate Docket, entry 156.

Docket of inheritance tax cases, showing date and number of case, names of estate and heirs, relationship of heir to decedent, property exemptions, and amount of tax assessment. Arr. by date of case. Indexed alph. by name of estate. Hdw. under pr. hdgs. 444 p. 18 x 12 x 2. Co. clk.'s off., 1st fl.

118. DOCKET AND RECORD OF PROCEEDINGS FEEBLE-MINDEDNESS, 1916-- . 1 v. (1).

Docket and record of proceedings of cases of feeble-minded persons, showing names of patients, petitioner, judge, and witnesses, history of case, and dates and notations of court orders. Arr. by date of case. Indexed alph. by name of patient. Hdw. and typed on pr. fm. 294 p. 18 x 13 x 1 1/2. Co. clk.'s off., 1st fl.

119. CLERK'S DOCKET, 1872-97. 2 v. (1, 2).

County clerk's docket of county and probate court cases, showing date and number of case, names of plaintiff, defendant, and attorneys, and date, and notation of proceedings. Arr. by date of case. No index. Hdw. under pr. hdgs. 316 p. 18 x 12 x 2. V. 1, 1872-81, co. clk.'s off. 1st fl.; v. 2, 1882-97, strm., bsmt.

120. DOCKET OF FINES, 1872-96. 1 v. (1). 1897--
in Judge's Docket Law and Criminal, entry
115.

Docket of fines, showing term date, name of defendant, amount of fine, amount collected, total receipts and credits, and balance due county. Arr. by date of fine. No index. Hdw. on pr. fm. 332 p. 18 x 15 x 2. Co. clk.'s off., 1st fl.

Justice and Magistrate Dockets

121. JUSTICE OF PEACE DOCKETS, 1849-1934. 107 v. Dockets of cases in justice of peace courts, returned to county clerk at death or retirement of justice, showing date, number, and nature of case, names of plaintiff, defendant, and justice of peace, and dates and notation of proceedings and order; also includes record of chattel mortgages filed with justice of peace. Arr. by date of case. Indexed alph. by name of plaintiff or mortgagor. 1849-73, hdw.; 1874-1934, hdw. and hdw. on pr. fm. 140 - 300 p. 9 x 14 x 1 1/2 - 10 x 14 x 3. 82 v., 1849-1920, strm., bsmt.; 25 v., 1921-34, co. clk.'s off., 1st fl.

122. POLICE MAGISTRATE DOCKET, 1896-1910. 2 v. Docket of cases in police magistrate courts, showing date, number, and nature of case, names of plaintiff, defendant, witnesses, and magistrate, proceedings, and court orders. Arr. by date of case. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 294 p. 14 x 9 x 1. Strm., bsmt.

Fee Books

123. COMMON LAW FEE BOOK, 1872--. 4 v. (1-4). Title varies: Fee Book, v. 1, 1872-1911; County Court Insane and Miscellaneous Fee Book, v. 2, 3, 1912-36.

Record of fees charged, collected, and disbursed in county court common law, criminal, and insanity cases, showing term date, case number, type of action, names of plaintiff and defendant, and dates, amounts and purposes of fees charged, collected, and disbursed. Also contains Fee Book Default, 1912--, entry 124. Arr. by date of case. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 625 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

124. FEE BOOK DEFAULT, 1872-1911. 1 v. (1). 1912-- in Common Law Fee Book, entry 123.

Record of fees charged, collected, and disbursed in default judgment cases, showing term date, case number, type of action, names of plaintiff and defendant, and dates, amounts, and purposes of fees charged, collected, and disbursed. Arr. by date of case. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 432 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

Juvenile Probation

125. (PROBATION REPORTS AND RECORDS), 1907-1938 11 f.b. (1 not labeled, 42, 103, 104, 122, 123, 125, 185-187, 193).

Documents in juvenile probationers' cases including

pleas and petitions for probation, investigations, probation officer's reports to county court, and recommendations for discharge. Arr. by date of report. For index, see entry 1. Hdw., typed, and hdw. on pr. fm. 5 x 10 x 9. Co. clk.'s off., 1st fl.

Naturalization
(See also entry 105)

126. (NATURALIZATION FILES), 1856-1906. 4 f.b.
(104, 140, 144, 145).

Documents in naturalization cases including declarations of intention, petitions for final papers, final oaths, and final certificates of naturalization. Arr. by date of declaration of intention. No index. Hdw. on pr. fm. 10 x 4 1/2 x 13. Co. clk.'s off., 1st fl.

127. NATURALIZATION RECORD (Declaration of Intention), 1860-1906. 2 v. (A, B).

Record of declarations of intention, showing name and nativity of alien, renunciation of allegiance to foreign power, and dates of declaration and filing. Arr. by date of filing. Indexed alph. by name of alien. Hdw. on pr. fm. 570 p. 17 x 12 x 2. Co. clk.'s off., 1st fl.

128. NATURALIZATION RECORD ADULT, 1860-1906. 3 v. (A, B, B).

Record of petitions and final certificates of naturalization, showing names of alien and witnesses, dates of petition, oath, final certificate, and entry into the United States, final oath of allegiance, court order of admittance to citizenship, acknowledgment, and signature of clerk. Arr. by date of petition. Indexed alph. by name of alien. Hdw. on pr. fm. 600 p. 18 x 13 x 2 1/2. Co. clk.'s off., 1st fl.

129. NATURALIZATION RECORD MINORS (Final), 1860-1906. 2 v. (A, B).

Record of petitions and final certificates of naturalization, showing names of minor alien and witnesses, dates of petition, final certificate, oath, and entry into the United States, final oath of allegiance, court order of admittance to citizenship, acknowledgment, and signature of clerk. Arr. by date of petition. Indexed alph. by name of alien. Hdw. on pr. fm. 440 - 570 p. 18 x 13 x 2 - 18 x 13 x 3. Co. clk.'s off., 1st fl.

130. NATURALIZATION RECORD SOLDIERS, 1865-1906. 1 v. (A). Last entry 1886.

Record of soldiers' petitions and final certificates of naturalization, showing date, names of soldier and witnesses, dates of petition, final certificate, oath, and entry into the United States, final oath of allegiance, court order of admittance to citizenship, acknowledgment, and signature of clerk. Arr. by date of petition. Indexed alph. by name of soldier. Hdw. on pr. fm. 420 p. 18 x 13 x 2. Co. clk.'s off., 1st fl.

V. PROBATE COURT

Jurisdiction in probate matters in Cass County was vested in a separate probate court from the organization of the county, in 1837, until 1849. From 1837 to 1849, probate court was held by a probate justice of the peace who was elected by the county electorate for a two-year term, with a four-year term effective in 1839.¹ The term was reduced in 1847 to two years.² The jurisdiction of the probate court was transferred to the newly created county court in 1849.³ The Cass county court has retained probate jurisdiction from that date to the present.⁴

As enunciated by the present constitution and subsequent legislation, the jurisdiction of the court extends to all probate matters, the settlement of estates of deceased persons, the appointment of guardians and conservators and settlement of their accounts, all matters relating to apprentices, and cases of sales of real estate of deceased persons for payment of debts.⁵

Appeals may be taken from the final orders, judgments and decrees of the probate court to the circuit court of the county except in proceedings in applications of executors, administrators, guardians, and conservators for the sale of real estate. The appellant must give bond and security in such amount and upon such condition as the court shall require.⁶

Aiding the court in its jurisdiction over the administration of intestate estates and the guardianship of minors, are the public administrator and the public guardian. Each officer is appointed quadrennially by the Governor with the advice and consent of the Senate. The public administrator and public guardian are required to enter into bonds set and approved by the court in sums not less than \$5,000.⁷ Their duties are performed under the direction and orders of the court. The records that result from their prescribed duties appear among the records of the court with those of other administrators, executors, and guardians.

When there is no relative or creditor who will administer an intestate estate, the court commits the administration to the public administrator upon appli-

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1. L. 1836-37, p. 176. From 1821 to 1837 probate court was held by a probate judge (L. 1821, p. 119).
 2. L. 1845, p. 28; effective in 1847.
 3. Const. 1848, Art. V, sec. 16, 18; L. 1849, p. 65.
 4. R.S. 1874, p. 339, 340; L. 1933, p. 449, 458.
 5. Const. 1870, Art. VI, sec. 20; L. 1877, p. 80.
 6. *Ibid.*, p. 81.
 7. L. 1925, p. 70-72; R.L. 1929, p. 208; R.L. 1933, p. 627, 629; R.S. 1845, p. 548; L. 1871-72; p. 89; L. 1881, p. 3; L. 1889, p. 165.

cation of any person interested in the estate.⁸ If a widow, next of kin, or creditor of the deceased appears within six months after the administration is granted to the public administrator, the court then revokes its grant of administration to the public administrator and orders letters of administration granted to such person interested in the estate. If, after all debts and charges against the estate which have been presented within two years after the administration of the estate was committed to such public administrator are fully paid, any balance of intestate estate remains, the administrator causes a notice to be published requiring persons still having claims against the estate to present them to the county court within six months. If no claims are presented, the balance is paid into the county treasury upon the expiration of the six-month period, the county remaining answerable to any future claims.⁹

As already noted, the court has authority to appoint guardians of minor heirs of deceased persons. In cases where the minor is under fourteen years of age the court appoints his guardian. When the minor is over fourteen he may nominate his own guardian, subject to the approval of the court.¹⁰ Under the direction of the court, the guardian is responsible for the custody, nurture, and tuition of his ward and the care and management of his estate. The court may assign the guardianship of the estate to one guardian and the custody, nurture, and tuition of the ward to another.¹¹ Within sixty days after his appointment, the guardian returns to the court a complete inventory of the real and personal estate of the ward in the form prescribed by law.¹² At the end of the first year of his appointment, and every three years thereafter, he makes a settlement of his accounts. When his trust is completed or upon the death of the ward, the guardian makes final settlement and delivers over to persons entitled to them the property and papers in his hands as guardian.¹³ Upon failure of a guardian appointed by the court to act within three months in this capacity, the court commits the guardianship of the minor to the public guardian.¹⁴ The latter's records appear with those of other guardians.

The probate justice of the peace, 1837 to 1849, performed the ministerial function of the probate

8. R. L. 1833, p. 628; R.S. 1845, p. 548; L. 1871-72, p. 89.

9. R.S. 1845, p. 549; L. 1871-72, p. 89, 90.

10. L. 1831, p. 100; L. 1835, p. 36; R.S. 1845, p. 265, 266; L. 1873-74, p. 107; L. 1919, p. 583; L. 1931, p. 618; L. 1937, p. 660.

11. L. 1871-72, p. 469; L. 1877, p. 114.

12. L. 1919, p. 582; L. 1933, p. 644.

13. L. 1871-72, p. 471; L. 1919, p. 583; L. 1929, p. 506.

14. L. 1889, p. 165.

clerk.¹⁵ From the establishment of the county court in 1849, until the present, the county clerk has served *ex officio* as probate clerk.¹⁶

The clerk is required to attend the sessions of court, issue all process, preserve all files and papers, make, keep, and preserve complete records of all the proceedings and determinations of the court, and perform all other duties pertaining to his office as required by law or the rules and orders of his court. He is required to enter of record all judgments, decrees, and orders of the court.¹⁷

The major records of the probate court kept by the clerk are the following:

1. Journal of all judicial proceedings and determinations of the judge.
2. A judgment docket with a direct and an indirect index: former, by name of claimant against estate; latter by estate. In practice, the requirement of two indexes often leads to two dockets.
3. Books for recordation of bonds and letters of administrators, executors, guardians, and conservators; appraisement and sale bills; widows' relinquishment and selection of property; wills and the probate thereof; annual and final reports of administrators, executors, guardians, and conservators. Generally, each category of these probate business matters is recorded separately, but the segregation is not always carefully maintained.
4. Separate dockets of unsettled estates and claims against estates, and a ledger of the accounts of executors, administrators, and guardians. Note that the dockets of probate matters are separated from dockets of court proceedings just as are the books of recordation of the two categories; the intention of the law to make this distinction is further shown in its granting the clerk, during vacation of the court, power to receive petitions, accept bonds, grant letters testamentary, etc.
5. Files of original documents not subject to recordation; indexes to such; records of office transactions in pursuance of the court's orders to the clerk, necessary in the latter's settlement with that body.¹⁸

15. L. 1837, p. 177, 178. The probate judge was required to act as his clerk (L. 1821, p. 119,120).

16. Const. 1848, Art. V, sec. 16,18; L. 1849, p. 63-65; R.S. 1874, p. 339,340.

17. L. 1877, p. 82.

18. L. 1821, p. 119,120; R.L. 1829, p. 215,231; L. 1837, p. 429; R.S. 1845, p. 427,428; L. 1851, p. 193; L. 1859, p. 92-94; R.S. 1874, p. 260-65; L. 1877, p. 63; L. 1933, p. 293.

Proceedings of Court

General Proceedings

131. PROBATE FILES, 1837--. 187 f.b. (1-187). Original documents in probate cases, including administrative officers' petitions, oaths, bonds, appointments, discharges, resignations, and current and final reports; appraisers' warrants and oaths; decrees and reports of sale; proofs of wills, heirship, and death; estate inventories and appraisements; widows' awards, selections, and relinquishments; claims against estates; affidavits of posting notices; certificates of publication; wills; and decrees and orders of court; also includes documents in inheritance tax, insanity, and assignment cases. Arr. by case no. For index, see entry 1. Hdw. and hdw. on pr. fm., typed and typed on pr. fm. 10 x 5 x 13 1/2. Co. clk.'s off., 1st fl.

132. PROBATE COURT RECORD, 1837--. 37 v. (A-Z, AA-KK).
Record of proceedings in probate cases, showing term date, case number, names of estate, heirs, and administrative officer, notations regarding all wills, bonds, letters and widows' selections, proceedings, and court orders; includes current reports of estates. Also contains Assignment Record, 1841-77, entry 107; Insanity Record, 1855-83, entry 110; Conservators' Record, 1912-30, entry 142; Public Sale Record (Real and Personal Property), 1876-1901, 1936--, entry 148; Sales Record of Real Estate, 1854-1906, 1925--, entry 149; Final Report Record, 1837-77, entry 150, including Guardians' Final Report Record, entry 152; Probate Claim and Judgment Docket, 1844-86, entry 155; Docket of Settlement of Estates, 1837-59, 1884--, entry 158. Arr. by date of court term. Indexed alph. by name of estate; for sep. index, 1837-82, see entry 133. 1837-1902, hdw.; 1903--, typed. 580 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

133. INDEX TO PROBATE RECORD, 1837-82. 1 v.
Index to Probate Court Record, entry 132, showing names of estate, administrative officer, and ward, book and page of entry, and date of letters. Arr. alph. by name of estate. Hdw. 500 p. 17 x 16 x 3. Co. clk.'s off., 1st fl.

134. CERTIFICATE IN DISCHARGE IN PROBATE, 1881--.
3 v. (A-C).
Record of certificates of discharge of administrative officers, showing names of estate, administrative officer, and clerk, and dates of presentation of final report, discharge, filing, and recordation. Arr. by date of recordation. Indexed alph. by name of estate. Hdw. on pr. fm. 420 p. 18 x 13 x 2 1/2. Co. clk.'s off., 1st fl.

Wills, Bonds, Letters (See
also entries 131, 132)

135. WILL AND EXECUTORS' RECORD, 1859--. 11 v.
(A-K). Title varies: Executors' Bonds and

Letters, v. A, 1859-76; Executors' Record,
v. B, 1877-1901.

Copies of executors' petitions, oaths, bonds, and letters, showing names of estate, executor, heirs, sureties, clerk, and judge, date, amount, and obligations of bond, date and order of appointment of appraiser, dates of filing and approval of petition, oath, and bond, and dates of issuance of letters and recording. Also contains Record of Wills, 1859-66, 1897-- , entry 136. Arr. by date of recording. Indexed alph. by name of estate. Hdw. on pr. fm. 585 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

136. RECORD OF WILLS, 1867-96. 2 v. (A, B). 1859-66, 1897-- in Will and Executors' Record, entry 135.

Copies of last will and testament of deceased, showing names of deceased, witnesses, and administrative officer, proof of death, oath of administrative officer, provisions of will, and dates of filing and recording. Arr. by dates of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 612 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

137. ADMINISTRATORS' RECORD, 1867-- . 7 v. (A-G). Copies of administrators' petitions, oaths, bonds, and letters, showing names of estate, administrator, sureties, heirs, and judge; date, amount, and obligations of bond; dates of filing and approval of petition, oath, and bond; and dates of issuance of letters and recording. Arr. by date of recording. Indexed alph. by name of estate. 1867-1936, hdw. on pr. fm.; 1937-- , hdw. and typed on pr. fm. 478 p. 18 1/2 x 13 x 3. Co. clk.'s off., 1st fl.

For other records of administrators' bonds, see entry 138.

138. ADMINISTRATORS' BONDS, 1856-66, 1885, 1886. 2 v. (1 not labeled, 1856-66; 1, 1885, 1886). Copies of administrators' bonds, showing date, amount, and obligations of bonds, names of administrator, estate, and sureties, and date of filing. Arr. by date of filing. Indexed. alph. by name of estate. Hdw. 275 p. 16 x 13 x 2. Co. clk.'s off., 1st fl.

139. ADMINISTRATORS' RECORD WITH WILL ANNEXED, 1873-- . 4 v. (A-D). Title varies: Probate Bond and Letters, v. A, B, 1873-1906. Copies of petitions, oaths, bonds, and letters of administrators with will annexed, showing names of estate, administrative officer, judge, heirs, and sureties; date, amount, and obligations of bond; dates of petition, oath, letters, and filing; and court order of approval. Also contains Administrative De Bonis Non Will Annexed Record, 1873-1921, entry 140. Arr. by date of filing. Indexed alph. by name of estate. 1873-1934, hdw. on pr. fm.; 1935-- , hdw. and typed on pr. fm. 298 - 345 p. 18 x 13 x 2 - 18 x 13 x 3. Co. clk.'s off., 1st fl.

140. ADMINISTRATIVE DE BONIS NON WILL ANNEXED RECORD, 1922--. 1 v. (1). 1873-1921 in Administrators' Record With Will Annexed, entry 139.

Copies of petitions, oaths, bonds, and letters of administrators de bonis non with will annexed, showing names of deceased, judge, clerk, heirs, administrative officer, and sureties, dates of petition, oath, bond, and letters, amount and obligations of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 290 p. 18 x 13 x 2. Co. clk.'s off., 1st fl.

141. GUARDIANS' RECORD, 1867--. 4 v. (A, 4-6).

Copies of guardians' petitions, oaths, bonds, and letters, showing names of estate, guardian, minors, sureties, judge, and clerk, oath of guardian, date, amount, and obligations of bond, and dates of petition, letters, filing, and recording. Arr. by date of recording. Indexed alph. by name of estate. Hdw. on pr. fm. 564 p. 12 x 8 x 2 1/2. Co. clk.'s off., 1st fl.

142. CONSERVATORS' RECORD, 1876-1911, 1931--. 4 v. (A-C, 1876-1911; D, 1931--). Title varies: Insane and Conservators' Record, v. A-C, 1876-1911. 1912-30 in Probate Court Record, entry 132.

Copies of conservators' petitions, oaths, bonds, and letters, showing names of estate, conservator, sureties, and incompetent, date, amount, and obligations of bond, court orders appointing conservator, and dates of filing and recording. Arr. by date of recordation. Indexed alph. by name of incompetent. Hdw. on pr. fm. 412 p. 18 x 13 x 2. Co. clk.'s off., 1st fl.

Inventories and Appraisements (See also entry 131)

143. INVENTORY RECORD, 1837--. 13 v. (1 not labeled, B, 1 not labeled, 4-13). Missing: 1844-58. Title varies: Inventory Book, 1 v., 1837-43; Inventory and Sale Bills, v. B, 1859-66; Inventory Appraisement, and Sale Record, 1 v., 1867-75.

Record of inventories of administratorship, executorship, and conservatorship estates, showing names of estate, administrative officer, and judge, legal description and value of real estate, itemized list and value of chattel property, status of notes and accounts, and dates of inventory and filing. Also contains Guardian Inventory Record, 1837-72, 1937--, entry 144; Appraisement Record, 1837-73, entry 145; Sales Record of Personal Property, 1837-75, entry 147; Public Sale Record (Real and Personal Property), 1837-75, entry 148. Arr. by date of filing. Indexed alph. by name of estate. 1837-75, hdw.; 1876-1935, hdw. on pr. fm.; 1936--, typed on pr. fm. 540 - 640 p. 14 1/2 x 10 x 2 1/2 - 18 x 13 x 3. Co. clk.'s off., 1st fl.

144. GUARDIAN INVENTORY RECORD, 1873-1936. 2 v. (1, 1873-99; B, 1884-1936). 1837-72, 1937--

in Inventory Record, entry 143.

Record of guardians' inventories, showing names of estate, minors, and guardian, legal description and value of real estate, itemized list and value of chattel property, amount of income, and date of report. Arr. by date of report. Indexed alph. by name of estate. Hdw. on pr. fm. 580 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

145. APPRAISEMENT RECORD, 1874--. 6 v. (4-9).

1837-73 in Inventory Record, entry 143.

Record of estate appraisements, showing names of estate, appraiser, widow, and minor heirs, court order appointing appraiser, oath of appraiser, acknowledgment, itemized list and values of real and personal property, total value, amounts allowed widow and minor children, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 562 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

Widows' Relinquishment and Selection (See also entries 131, 132)

146. WIDOWS' RELINQUISHMENT AND SELECTION, 1887--.
2 v. (A, B).

Record of widows' relinquishments and selections, showing names of estate, widow, and appraiser, list and appraised value of items selected, relinquished, and allowed, statement of appraiser, court order of approval, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 540 p. 18 x 13 x 2 1/2. Co. clk.'s off., 1st fl.

Petitions, Reports of Sale (See also entry 131)

147. SALES RECORD OF PERSONAL PROPERTY, 1876--.
3 v. (4-6). 1837-75 in Inventory Record,
entry 143.

Record of reports of private sale of personal property in settlement of estates, showing names of estate, petitioner, judge, clerk, and purchaser, dates of petition and sale, court order, list, description, and value of property sold, amount of sale, and dates of report and filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 566 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

148. PUBLIC SALE RECORD (Real and Personal Property), 1902-35. 1 v. 1837-75 in Inventory Record, entry 143; 1876-1901, 1936-- in Probate Court Record, entry 132.

Record of reports of public sale of real and personal property, showing names of estate, administrative officer, purchaser, judge, and clerk, legal description of real estate, list of chattel property, date and amount of sale, and dates of report and filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 500 p. 17 x 12 x 2. Co. clk.'s off., 1st fl.

149. SALES RECORD OF REAL ESTATE, 1907-24. 1 v.
1854-1906, 1925-- in Probate Court Record,
entry 132.

Record of proceedings on petitions to sell real estate to pay debts, showing names of estate, petitioner, judge, clerk, creditors, and purchaser, legal description of real estate, amount of debts, court orders for sale, date, terms, and place of sale, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 340 p. 18 x 13 x 2. Co. clk.'s off., 1st fl.

Reports, Current and Final
Accounts (See also entry 131)

150. FINAL REPORT RECORD, 1878--. 10 v. (A, C-K).
Title varies: Administrators' Report Record,
v. A, 1878-83; Report, Final, v. C-I, 1884-
1929. 1837-77 in Probate Court Record,
entry 132.

Copies of final reports of administrators, executors, and conservators, showing names of estate, administrative officer, petitioner, and heirs, dates and amounts of receipts and expenditures, total receipts and expenditures, balance available, signature of heirs and agent, and date of report. Also contains Guardians' Final Report Record, 1878-1915, entry 152. Arr. by date of report. Indexed alph. by name of estate. 1878-1935, hdw. on pr. fm.; 1936--, typed on pr. fm. 580 p. 18 x 13 x 2½. Co. clk.'s off., 1st fl.

151. GUARDIANS' REPORT RECORD, 1878--. 5 v.
(A-C, C, D).

Record of guardians' current reports, showing names of estate, minor, and guardian, date of report, dates, amounts, and purposes of receipts and expenditures, recapitulation, and statement of guardian. Arr. by date of report. Indexed alph. by name of estate. Hdw. on pr. fm. 604 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

152. GUARDIANS' FINAL REPORT RECORD, 1916--. 1 v. (1).
1837-77 in Probate Court Record, entry 132;
1878-1915 in Final Report Record, entry 150.

Record of guardians' final reports, showing names of guardian, estate and minor, dates, purposes, and amounts of receipts and expenditures, total amounts of receipts and expenditures, balance available, signatures of clerk and judge, and date of report. Arr. by date of report. Indexed alph. by name of estate. 1916-34, hdw. on pr. fm.; 1935--, hdw. and typed on pr. fm. 886 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

153. CONSERVATORS' REPORT RECORD, 1883--. 2 v.
(B, C).

Record of conservators' current reports, showing names of incompetent, conservator, and estate, dates and amounts of receipts and expenditures, recapitulation, balance due estate, and date of filing. Arr. by date of entry. Indexed alph. by name of incompetent. Hdw. on pr. fm. 544 p. 18 x 13 1/2 x 2 1/2. Co. clk.'s off., 1st fl.

154. PROBATE ACCOUNT CURRENT, 1849-70. 1 v.
Record of current accounts of estates in probate, showing names of estate, administrative officer, and heirs, dates, amounts, and purposes of receipts and expenditures, balance available, and date of report. No obvious arr. No index. Hdw. 400 p. 15 1/2 x 11 x 2 1/2. Strm., bsmt.

Dockets

155. PROBATE CLAIM AND JUDGMENT DOCKET, 1837-43, 1887--. 6 v. (1 not labeled, 1837-43; 1-5, 1887--). Title varies: Order Book, 1 v., 1837-43. 1844-86 in Probate Court Record, entry 132.

Docket of probate claims and judgments, showing names of estate and claimant, date, nature, and amount of claim, notice and judgment of court, date of allowance or rejection of claim, and amount of allowance. Arr. by date of claim. Indexed alph. by name of estate. 1837-86, hdw.; 1887--, hdw. on pr. fm. 500 - 585 p. 12 1/2 x 8 x 2 - 18 x 13 x 2 1/2. Co. clk.'s off., 1st fl.

156. JUDGE'S PROBATE DOCKET, 1845--. 26 v. (A, 2 not labeled, E, A, 1 not labeled, D-T, 3 not labeled). Missing: 1871, 1872. Title varies: Docket, v. A, 1845-58; Probate Docket, 2 v., 1859-70; Judge's Docket, v. E, 1873-75; Probate Court Docket, v. A, 1 not labeled, D-T, 1876-1932.

Judge's docket of administrator and executor cases, showing date, number, and nature of case, names of estate and administrative officer, and dates and notations of proceedings and court orders. Also contains Inheritance Tax Docket, 1908-9, entry 117; Conservator and Guardian Docket, 1845-1924, entry 157. Arr. by date of case. 1845-59, 1878--, indexed alph. by name of estate; 1860-77, no index. 1845-59, 1876-1932, hdw. under pr. hdgs.; 1860-75, hdw.; 1933--, hdw. and typed under pr. hdgs. 300 - 600 p. 18 x 12 x 1 1/2 - 18 x 12 x 3. V. A, 2 not labeled, E, A, 1 not labeled, D-T, 1845-1932, strm., bsmt.; 3 v. not labeled, 1933--, co. clk.'s off., 1st fl.

157. CONSERVATOR AND GUARDIAN DOCKET, 1925--. 1 v. 1845-1924 in Judge's Probate Docket, entry 156.

Docket of conservator and guardian cases, showing names of estate, administrative officer, and sureties, date and number of case, date and amount of bond, and notations of court orders and proceedings. Arr. by term date of case. Indexed alph. by name of estate. Hdw. and typed under pr. hdgs. 600 p. 16 x 16 x 3. Co. clk.'s off., 1st fl.

158. DOCKET OF SETTLEMENT OF ESTATES, 1860-83. 2 v. (1 not labeled, A). 1837-59, 1884-- in Probate Court Record, entry 132.

Docket of estate settlement proceedings, showing names of estate and administrative officer, dates of issuance of letters, and filing of annual and final reports, notations of receipt, and approval of reports. Arr. alph.

by name of estate. No index. Hdw. on pr. fm. 200 p.
16 x 11 1/2 x 1 1/2 Strm., bsmt.

Fee Books

159. ESTATE FEE BOOK, 1849--. 11 v. (1 not labeled, A-I, 1849--; A, 1859-66). Title varies: Fee Book, 1 v., 1849-72, v. E, 1910-14, v. G, 1918-23; Probate Fee Book, v. A, 1859-66, v. A, 1873-78, v. C, D, 1885-1910

Record of fees charged, collected, and disbursed in settlement of probate cases, showing date of filing, names of estate and administrative officer, and dates, amounts, and purposes of fees received and disbursed. Arr. by date of filing. Indexed alph. by name of estate, 1859-84, hdw.; 1885-- , hdw. on pr. fm. 540 p.
18 x 13 x 3. Co. clk.'s off., 1st fl.

VI. CIRCUIT COURT

The circuit court has original jurisdiction of all causes in law and equity and acts as a court of appeals in probate matters and causes cognizable by the county court and justices of the peace.¹ In addition, it is one of the courts capable of exercising naturalization jurisdiction according to Federal statutes.²

The circuit court was held in Cass County by a circuit judge appointed by the General Assembly from 1837 to 1841.³ In 1841, additional associate justices of the Supreme Court were appointed by joint ballot of the General Assembly, which justices, together with the other justices of the Supreme Court, held the circuit courts.⁴ Then in 1849 another change was made in accordance with the second constitution which provided for the election of circuit judges by the judicial district electorate.⁵ The Constitution of 1870 altered the circuit districts and established population requirements for counties that may comprise a circuit.⁶ From 1849 to the present the circuit judges have been elected officers of the judicial district electorate. The eighth circuit is made up of eight counties, one of which is Cass.

Three circuit judges who serve for six-year terms are elected for the district. Before entering upon the duties of his office, each circuit judge is required to subscribe to an oath which he files with the Secretary of State.⁷ In 1835 the salary of the circuit judge was \$750 per annum.⁸ The Constitution of 1870 fixes the salary at \$3,000 until otherwise provided by law.⁹ The compensation of the judges has undergone many modifications over a period of time, the tendency being toward increases rather than decreases. Some of the recent changes have been: for judges elected from 1919 to 1925, \$6,400;¹⁰ for the period from 1925 to 1933, \$8,000;¹¹ after the first Monday in June, 1933, it was \$7,200,¹² until 1939 when the salary was again

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1. Const. 1870, Art. VI, sec. 12; L. 1871-72, p. 109; R.S. 1874, p. 344; L. 1895, p. 189; L. 1933, p. 688; L. 1935, p. 1.
 2. 2 U.S. Stat. 155; U.S.R.S. 1789-1874, p. 378-80; 34 U.S. Stat. 596; 37 U.S. Stat. 737; 44 U.S. Stat. 709. Circuit courts still retain naturalization jurisdiction, but do not exercise it where U. S. District Courts are convenient.
 3. L. 1835, p. 150, 151.
 4. L. 1841, p. 173; R.S. 1845, p. 143.
 5. Const. 1848, Art. V, sec. 7, 15.
 6. Art. VI, sec. 13.
 7. Ibid., sec. 12; L. 1933, p. 436.
 8. L. 1835, p. 167.
 9. Art. VI, sec. 16.
 10. L. 1919, p. 553, 554.
 11. L. 1925, p. 400; L. 1931, p. 148.
 12. L. 1933, p. 621.

increased to \$8,000.¹³ The salaries are paid from the state treasury.

The hearings of several of the election contests are held before this court. Jurisdiction is granted to the court to hear and determine contests of the election of judges of the Supreme Court, judges of the circuit court, and members of the State Board of Equalization; but no judge of the circuit court is allowed to sit upon the hearing of any case in which he is a party.¹⁴ The circuit court also hears and determines the election contests of some of the local and county officers. These include contests of judge of the county court, mayors of cities, president of the county board, presidents of villages, elections in reference to removal of county seats and in reference to any other subject which may be submitted to the vote of the people of the county. The circuit court has concurrent jurisdiction with the county court in cases of contested elections under the latter jurisdiction.¹⁵

Included under the jurisdiction of the circuit court are also appeals from the Illinois Commerce Commission's rules, regulations, orders, or decisions. Such appeals may be taken to the circuit court serving Cass County when the subject matter of the hearing is situated in this county. The appeal may be heard for the purpose of having the reasonableness or lawfulness of the rule, regulation, order, or decision inquired into and determined.¹⁶

To expedite the handling of litigation, a branch circuit court may be held at the same time that the main or regular circuit court for Cass County is in session. A branch court is held by any circuit judge of this circuit or by a judge of any other circuit called in for the purpose of hearing and deciding motions and settling the issues in any or all causes pending in the circuit court, and for the purpose of hearing chancery causes and cases at law which are pending in such court for that term. The presiding judge of the main circuit court assigns to the branch court as many of the law and chancery cases as the presiding judge of the branch court will possibly have time to hear.¹⁷

Also, to aid in the speedy administration of justice, the judges, or a majority of them, may by an order entered of record in the office of the clerk of the circuit court, dispense with either or both the grand and petit juries for any term or part of term of the circuit court, and may designate what term or

13. L. 1937, p. 189,606; effective in 1939.

14. L. 1899, p. 152.

15. L. 1871-72, p. 396; L. 1895, p. 170.

16. L. 1921, p. 742,743.

17. L. 1873-74, p. 82,83; L. 1905, p. 146.

portion thereof shall be devoted to criminal business and what term or portion thereof to civil business.¹⁸

Each of the three judges of the circuit court is authorized to appoint one official shorthand reporter. This appointee is required to be skilled in verbatim reporting and is not allowed to hold more than one such official appointment. The appointment is in writing and is required to be filed in the office of the auditor of public accounts. The reporter holds office until his appointment is revoked by the appointing judge or until the termination of the judge's term. When the official reporter is absent or disabled, the presiding judge may appoint any other competent reporter to act during such absence or disability. The substitute is paid for his services by the official reporter. The reporter causes full stenographic notes of the evidence in all trials before the court to be taken down and transcript of the same to be correctly made if desired by either party to the suit, their attorneys, or the judge of the court. Each of the reporters receives and is paid out of the state treasury an annual salary of \$3,240. The salaries are paid out monthly on the warrant of the auditor of public accounts.¹⁹

The probation officer for adult probationers is an appointee of the circuit court.²⁰ His services extend throughout the county. Courts exercising criminal or quasi-criminal jurisdiction are given power to release on probation, adult or juvenile offenders found guilty of committing certain specified offenses.²¹ In the performance of his prescribed duties, the probation officer principally serves the county and circuit courts. He is required to give bond as determined by the circuit court in a sum not exceeding \$5,000 and is subject to the rules of and removal by the appointing court.²² Cass County has one probation officer under the law of 1915 providing for one such officer for each fifty thousand, or fraction thereof, of population.²³

The probation officer is compensated at a rate determined by the county board. In the performance of his duties, he is required to investigate the case of defendants requesting probation; notify the court of previous conviction or probation; make reports to the respective courts; keep a set of records as described below; take charge of, and watch over, all persons placed on probation in his county, and all probationers moving from another county into his county. He is also required to notify probation of-

18. L. 1835, p. 167, 168; L. 1933, p. 441, 442.

19. Ibid., p. 463, 464.

20. L. 1911, p. 280.

21. Ibid., p. 277.

22. Ibid., p. 280, 281; L. 1915, p. 380, 381.

23. Ibid., p. 380. School census to be basis for determining population.

ficers in other counties of any probationers under his supervision who may move into those counties.²⁴

The reports made by the probation officer to the courts are kept by the clerk in the respective cases. The courts' probation records include orders granting or refusing release on probation, probationers' bonds, the reports of probation officers noted above, and discharge of probationers.

The probation officer is required to keep complete and accurate records of investigated persons, the action of the court, and the subsequent history of probationers. These are not public records but are open to inspection by any judge or any probation officer pursuant to a court order.²⁵

Unlike the judges of the circuit court who are elected by the judicial district electorate, the clerk of this court is elected by the county electorate.²⁶ This official performs the ministerial duties of the circuit court of Cass County and files and preserves its records as well as those of the branch circuit courts.²⁷ He is commissioned by the Governor and before entering upon the duties of his office, gives bond with sureties which are approved by any two of the judges of the court. His bond is given in the sum of not less than \$5,000 as agreed upon by the judges. The oath to which he subscribes is filed with the Secretary of State.²⁸ If a vacancy occurs in this office and the unexpired term does not exceed one year, the court is required to fill such vacancy by appointment of a clerk pro tempore. The appointee is then required to qualify for office in the same manner as the regularly elected clerk of the circuit court. When the appointment is made, the court notifies the Governor of the filled vacancy. The Governor in turn, as soon as practicable, issues a writ of election for the circuit court clerk.²⁹

The clerk of the circuit court was first appointed by the circuit judge in Cass County.³⁰ He kept a record of all the oaths that he administered and certified a copy annually to the Secretary of State.³¹ The clerk preserved a complete record of all proceedings and determinations of the court of which he was clerk.³² At each term of the circuit court, the clerk inquired

24. L. 1911, p. 231,282; L. 1915, p. 381,382.

25. L. 1911, p. 277-84; L. 1915, p. 378-84.

26. Const. 1849, Art. V, sec. 7,21,29, Const. 1870, Art. X, sec. 8.

27. L. 1905, p. 147.

28. R.S. 1874, p. 260.

29. L. 1873-74, p. 95.

30. Const. 1819, Art. IV, sec. 6, R.L. 1833, p. 152, R.S. 1845, p. 146.

31. L. 1819, p. 349.

32. R.L. 1829, p. 44; R.L. 1833, p. 152; R.S. 1845, p. 147.

into the condition and the treatment of prisoners and was required to see that all prisoners were humanely treated.³³ This authority was in later years, and is at present, delegated to the circuit court.³⁴ One of the early requisites of this office was for the clerk of the circuit court to reside near the county seat in order that he could attend to his duties daily. In the event that it were not possible for him to be in daily attendance, the presiding judge was to fill such vacancy.³⁵ The Constitution of 1848 made the clerk of the circuit court an elective officer of the county for a four-year term. This arrangement has continued until the present.³⁶

The clerk is able to perform the several duties of his office with the aid of his staff which consists of assistants and deputy clerks who are appointed by him in a number determined by rule of the circuit court.³⁷ This order is entered as of record and the compensation of such assistants and deputies is set by the county board.³⁸

Among the records kept by the clerk³⁹ for the circuit court are the following:

1. Books of record of the proceedings and judgments of the court with alphabetical indexes by parties. Proceedings are recorded at length only in cases designated by law, or when the court at the motion and assumption of expense by one of the parties, so orders. In practice, from an early date the court record has been broken down into segregated types of proceedings and judgments.
2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records," intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket in which all suits are entered in the order they are commenced.

33. R.L. 1927, p. 248.

34. R.S. 1874, p. 616; L. 1923, p. 424.

35. R.L. 1829, p. 35.

36. Const. 1848, Art. V, sec. 29; Const. 1870, Art. X, sec. 9.

37. L. 1831, p. 49; Const. 1870, Art. X, sec. 9.

38. Ibid.

39. The Civil Practice Act of 1933 grants authority to the circuit court, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L. 1933, p. 786).

4. A judgment and execution docket containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's, and bar docket. In practice, the bar docket has tended to drop out of use.
6. A fee book in which costs and fees are to be entered under the proper title of the case. In practice, separate series of volumes are maintained under such title of causes.
7. Transcripts of proceedings in appeals from justices, city, and foreign courts, dockets thereof, and transcripts of judgments for liens, etc., from the former. Separate well-bound books are required to be kept for each city court. These books are to contain an alphabetical docket of all judgment decrees rendered in the city court. They also provide for entry of data relating to the filing of the transcript with the corresponding number of the transcript.⁴⁰
8. Naturalization proceedings from petitions to final certificates; Federal statutes allow the circuit court to exercise jurisdiction.
9. Reports to the court from its designated masters in chancery, the state's attorney, and the coroner's inquest juries.
10. Jury venires, summonses, certificates, etc.
11. Original documents used in court hearings and determinations. These documents are of particular importance because in a large number of cases the complete proceedings are not spread on court record.
12. Monthly reports of the warden of the county jail, containing a list of all prisoners in his custody, showing causes of commitment and names of persons by whom committed.⁴¹

40. R.L. 1827, p. 217; L. 1865 p. 79; R.S. 1874, p. 260; L. 1895, p. 217; L. 1901, p. 136, 137.

41. R.S. 1845, p. 323-26, 414, 418, 419, 518; L. 1873, p. 64; R.S. 1874, p. 262, 263, 283, 339, 616, 630; L. 1933, p. 678, 707; 2 U.S. Stat., 153-55; U.S.R.S. 1789-1874, p. 378-80; 34 U.S. Stat., 596-607, 709, 710; 45 U.S. Stat. 1514, 1515.

The circuit court clerk keeps all of his records in his vault on the first floor.

General Index

160. INDEX TO COURT RECORDS (Plaintiff-Defendant), 1857-92. 2 v. (1 plaintiff; 1 defendant). Index to Common Law Record, entry 163; Court Record Default, entry 165; Record of Indictments, entry 169; Chancery Record, entry 174; Execution Docket, entry 181; (Mechanics') Lien Docket, entry 186; Docket of Fines, entry 187, showing names of plaintiff and defendant, nature of action, term date, case number, and book and page of entry in record. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 640 p. 18 x 13 x 3.

Proceedings of Court

161. COMMON LAW FILES, 1837--. 144 f.b. (1-144). Documents in common law cases, including transcripts of judgments, 1930--, executions, 1910--, subpoenas, summonses, pleadings, appeals and appeal bonds, fee bills, scire facias, confessions of judgment, and court orders. Also contains Sheriff's Certificates of Levy (Sale and Redemption), 1837-40, 1930--, entry 94. Arr. by case no. For index, see entry 162. 1837-94, hdw. and hdw. on pr. fm.; 1895--, hdw. and typed on pr. fm. and typed. 10 x 5 x 13.

For prior transcripts of judgments, see entry 178; for prior executions, see entry 177.

162. INDEX TO CASES, 1837--. 1 v. Index to Common Law Files, entry 161, and to (Criminal Case Files), 1894--, entry 166, showing term date, case and file box numbers, names of plaintiff and defendant, and nature of action. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 640 p. 18 x 12 x 3.

163. COMMON LAW RECORD, 1837--. 16 v. (A-L, 1, 2, 4, 5). Title varies: Circuit Court Record, v. A-L, 1, 2, 1837-1924. Record of proceedings in common law cases, showing date, number, and kind of case, names of judge, plaintiff, defendant, and attorneys, court orders, amounts of damages and costs, and nature of proceedings. Also contains Court Record Default, 1837-61. 1894--. entry 165, including Confession Record, 1837-61, entry 164; Criminal Record, 1837-93, entry 168; Record of Indictments, 1837-72, entry 169; State's Attorney's Report Record, 1900--, entry 192. Arr. by date of proceedings. Indexed alph. by name of plaintiff; for sep. index, 1857-92, see entry 160. 1837-1908, hdw.; 1909--, typed. 492 - 640 p. 14 x 9 x 2 - 18 x 13 x 3.

164. CONFESSION RECORD, 1894--. 2 v. (1, 2).
Title varies: Circuit Court Record Confession,
v. 1, 1894-1931. 1837-61 in Common Law Rec-
ord, entry 163; 1862-93 in Court Record De-
fault, entry 165.

Record of judgments by confession, showing date and number of case, names of judge, clerk, sheriff, plaintiff, defendant, and attorneys, kind of action, amount of judgment, order for execution, and satisfaction. Arr. by date of judgment. Indexed alph. by names of plaintiff and defendant. 1894-1931, hdw. on pr. fm.; 1932--, typed on pr. fm. 292 - 490 p. 15 x 12 x 2 - 18 x 13 x 3½.

165. COURT RECORD DEFAULT, 1862-93. 1 v. (E).
1837-61, 1894-- in Common Law Record, entry
163.

Record of judgments by default, showing date, number, and nature of case, amounts of damages, judgment, and costs, names of judge, plaintiff, defendant, clerk, attorney, and sheriff and date of filing. Also contains Confession Record, entry 164. Arr. by date of filing. Indexed alph. by name of plaintiff; for sep. index, 1862-92, see entry 160. Hdw. on pr. fm. 580 p. 19 x 13 x 3.

166. (CRIMINAL CASE FILES), 1837--. 25 f.b. (1-141 not consecutive).

Documents in circuit court criminal cases, including warrants for arrest, summonses, subpoenas, petitions, indictments, habeas corpus writs, instructions to jury, complaints before justices, depositions, verdicts, receipts for prisoners, reports by probation officers, affidavits of foreign witnesses, bail, recognizance, and appeal bonds, court orders, transcripts from justice of peace, 1930--, and executions, 1918--. Arr. by case no. For index, 1837-93, see entry 167; for index, 1894--, see entry 162. 1837-1917, hdw., and hdw. on pr. fm.; 1918--, hdw. and typed on pr. fm., and typed. 10 x 4½ x 13½.

For prior transcripts from justices of the peace, see entry 178; for prior executions, see entry 177.

167. INDEX TO PAPERS IN CRIMINAL CASES, 1837-93.
1 v.

Index to (Criminal Case Files), entry 166, showing name of defendant, nature of crime, case and file box numbers, and term date. Arr. alph. by name of defendant. Hdw. under pr. hdgs. 300 p. 18 x 13 x 1½.

168. CRIMINAL RECORD, 1894--. 3 v. (1 not labeled, 3, 4). 1837-93 in Common Law Record,
entry 163.

Record of criminal cases, including probation cases, showing date, names of defendant, judge, sheriff, state's attorney, and clerk, term date, nature of crime or misdemeanor and indictment, proceedings, and court orders. Also contains Record of Indictments, 1894--, entry 169. Arr. by date of case. Indexed alph. by name of defendant. 1894-1908, hdw.; 1909--, typed. 560 p. 18 x 13 x 3.

169. RECORD OF INDICTMENTS, 1873-93. 1 v. 1837-72 in Common Law Record, entry 163; 1894-- in Criminal Record, entry 168.

Record of circuit court grand jury indictments, showing names of defendant, jurors, witnesses, and state's attorney, nature of crime or misdemeanor, term of court, dates of selection and swearing in of grand jury, and verdict of jury. Arr. by date of indictment. Indexed alph. by name of defendant; for sep. index, 1873-92, see entry 160. Hdw. on pr. fm. 272 p. 18 x 13 x 1½.

170. BAIL BOND RECORD, 1921-30. 1 v.

Copies of bail bonds, showing names of defendant and sureties, nature of crime, date and amount of bond, and dates of appearance and approval. Arr. by date of filing. Indexed alph. by name of defendant. Hdw., and hdw. on pr. fm. 237 p. 15 x 12½ x 1½.

171. RECOGNIZANCE RECORD, 1868-1923. 1 v.

Copies of recognizance bonds, showing dates of bond and court term, names of defendant and sureties, amount of bond, date set for appearance, and nature of crime. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 574 p. 18 x 13 x 3.

172. (CHANCERY FILES), 1837--. 177 f.b. (1-177).

Original papers filed in chancery cases, including bills for partition, divorce, foreclosure, to construe will, to quiet title, and for specific performance; answers of defendant and guardian ad litem; reference to master, master's report of evidence, and orders and decrees of court. Arr. by case no. For index, see entry 173. 1837-1917, hdw., and hdw. on pr. fm.; 1918--, hdw. and typed on pr. fm., and typed. 10 x 4½ x 13½.

173. INDEX TO CASES (Chancery), 1837--. 1 v.

Index to (Chancery Files), entry 172, showing names of complainant and defendant, kind of action, and case and file box numbers. Arr. alph. by names of complainant and defendant. Hdw. under pr. hdgs. 640 p. 18 x 13 x 3.

174. CHANCERY RECORD, 1837--. 38 v. (C-T, J, 1-15, 15½, 16-18).

Record of proceedings in chancery cases, including divorce cases, showing term date, date, number, and type of case, names of plaintiff and defendant, proceedings, and court orders. Also contains Decree Record, 1837-47, 1863-1920, 1924--, entry 175. Arr. by date of case. Indexed alph. by name of plaintiff; for sep. index, 1857-92, see entry 160. 1837-1903, hdw.; 1904--, typed. 640 - 804 p. 18 x 13 x 3 - 18 x 12½ x 3 ½.

175. DECREE RECORD, 1848-62, 1921-23. 2 v. (1 not labeled, 1848-62; 1, 1921-23). Title varies: Records of Decrees, v. 1, 1921-23. 1837-47, 1863-1920, 1924-- in Chancery Record, entry 174.

Record of chancery decrees, showing case number, term date, names of complainant, defendant, sheriff, judge, clerk, state's attorney, and master in chancery, type of case, nature of proceedings, and court orders. Arr.

by date of decree. Indexed alph. by name of complainant. 1848-62, hdw.; 1921-23, typed. 392 - 580 p. 15 x 12 x 2 - 18 x 13 x 3.

176. MECHANICS' LIENS, 1888--. 2 f.b.
Mechanics' lien cases, including plans and specifications of buildings and construction, showing legal description of property, amount of lien, kind of services, names of claimant and defendant, and date of claim. Arr. by date of claim. No index. Hdw. and typed on pr. fm. and typed. 10 x 4 $\frac{1}{2}$ x 13 $\frac{1}{2}$.

177. EXECUTIONS, 1837-1917. 14 f.b.
Writs of execution on judgments, showing names of plaintiff and defendant, date and nature of writ, amounts of damages, judgment, interest, and costs, and name of officer serving and returning execution. Arr. by date of issue. No Index. Hdw., typed, and hdw. on pr. fm. 10 x 4 $\frac{1}{2}$ x 13 $\frac{1}{2}$.

Subsequent writs of execution kept with corresponding case papers, see entries 161, 166.

Transcripts
(See also entries 161, 166)

178. (TRANSCRIPTS FROM JUSTICE OF PEACE), 1837-1929.
4 f.b.

Transcripts of judgments from justice courts, showing names of plaintiff, defendant, justice of peace, and constable, kind of action, date of summons, by whom served, amounts of plaintiff's and defendant's costs and constable fees, date of filing for record, and signature of clerk. Arr. by date of entry. No index. 1837-69, hdw.; 1870-1929, hdw. and typed on pr. fm. 10 x 4 $\frac{1}{2}$ x 13 $\frac{1}{2}$.

179. TRANSCRIPT FROM JUSTICE OF PEACE RECORD, 1847--. 4 v. (1 not labeled, 2-4). Title varies: Justice Transcript, 1 v. 1847-75.
Copies of transcripts of judgments from justice and foreign courts, showing names of judge, justice of peace, plaintiff, and defendant, order to serve summons, date and by whom served, amount of plaintiff's or defendant's costs and constable fees, nature of proceedings, and date of filing. Arr. by date of filing. Indexed alph. by names of plaintiff and defendant. 1847-75, hdw.; 1876-- , hdw. on pr. fm. and typed. 433 - 640 p. 16 x 11 x 2 - 18 x 13 x 3.

Dockets

180. JUDGMENT DOCKET, 1837--. 7 v. (2 not labeled, 1837-63; 1, 1869-96; A-D, 1857--).
Docket of judgments entered, showing term date, case number, names of attorneys, plaintiff, and defendant, nature of action, date and amount of judgment, amount of costs, and book and page of entry in record and fee book. 1837-74, arr. by date of judgment; 1875-- , arr. alph. by name of defendant. 1837-74, indexed alph. by name of defendant; 1875-- , no index. 1837-63, hdw.; 1864-- , hdw. under pr. hdgs. 286 - 470 p. 18 x 13 x 2 - 18 x 13 x 3.

181. EXECUTION DOCKET, 1837--. 6 v. (2 not labeled, 2, 1837-1900; A-C, 1837--). Title varies: Fee Bill Execution Docket, v. 2, 1881-1900.

Docket of executions on judgments, showing names of attorneys, plaintiff, defendant, and witnesses, nature of action, amounts of judgment and costs, and dates of judgment, execution, and return. Arr. by date of execution. Indexed alph. by names of plaintiff and defendant; for sep. index, 1857-92, see entry 160. 1837-76, hdw.; 1877--, hdw. under pr. hdgs. 448 - 596 p. 13 x 8½ x 2 - 18 x 13 x 3.

182. JUDGES' CURRENT DOCKET, 1844--. 63 v. (4 not labeled, F-O, 54 not labeled). Missing: 1851-57. Title varies: Docket Book, 1 v., 1844-48.

Judges' docket of common law, criminal, and chancery cases, showing term date, number and type of case, names of plaintiff, defendant, and attorneys, and abstract of proceedings. Also contains notation of bail and recognizance bonds posted in criminal cases; and Docket of Fines, 1844-69, 1901--, entry 187. Arr. by date of case. Indexed alph. by name of defendant. 1844-69, hdw.; 1870--, hdw. and typed on pr. fm. 143 - 720 p. 13 x 8 x 1½ - 18 x 12 x 3.

183. JUDGES' TRANSFER DOCKET COMMON LAW, 1914--. 2 v. (1, 2).

Judges' transfer docket of common law cases, showing names of attorneys, plaintiff, and defendant, type of action, case number, term date, and abstract of proceedings. Arr. by date of case. Indexed alph. by name of plaintiff. Hdw. and typed on pr. fm. 750 p. 17 x 13 x 3½.

184. JUDGES' TRANSFER DOCKET CHANCERY, 1914--. 3 v. (1-3).

Judges' transfer docket of chancery cases, showing names of attorneys, plaintiff, and defendant, type of action, case number, and abstract of proceedings. Arr. by date of case. Indexed alph. by name of plaintiff. Hdw. and typed on pr. fm. 800 p. 17 x 13 x 4.

185. JUDGES' TRANSFER DOCKET CRIMINAL, 1914--. 1 v. (3).

Judges' transfer docket of criminal cases, showing names of defendant and attorney, type of action, case number, term date, and abstract of proceedings; also includes notations of fines and bonds. Arr. by date of filing. Indexed alph. by name of defendant. Hdw. and typed on pr. fm. 640 p. 17 x 13 x 3.

186. (Mechanics') LIEN DOCKET, 1888--. 1 v.

Docket of mechanics' liens, showing names of plaintiff and defendant, amount of lien, date of filing, legal description of property, and satisfaction. Arr. by date of filing. Indexed alph. by names of plaintiff and defendant; for sep. index, 1888-92, see entry 160. Hdw. and typed on pr. fm. and typed. 422 p. 18 x 13 x 2½.

187. DOCKET OF FINES, 1870-1900. 1 v. 1844-69, 1901-- in Judges' Current Docket, entry 182. Record of fines assessed in circuit court, showing name of defendant, nature of charge, amounts of judgment, fine, and costs, date and amount of payment, and book and page of entry in fee book. Arr. by date of fine. For index, 1870-92, see entry 160. 300 p. 18 x 13 x 1½.

For other notations of fines, see entry 185.

188. BAR DOCKET, 1849-76. 2 v. Missing: 1852-71. Bar Docket showing case number, names of plaintiff, defendant, witnesses, and attorneys, kind of action, and date set for hearing. Arr. by date of hearing. No index. Hdw. 100 p. 12½ x 7½ x 1.

Fee Books

189. COMMON LAW (and Criminal) FEE BOOK, 1837--. 14 v. (CCCC, 2 not labeled, D-G, 1837-99; G, H, K, N, Q, R, T, 1882--).

Record of fees charged, collected, and disbursed in common law, criminal, and confession of judgment cases, showing date, number, and nature of case, names of plaintiff, defendant, judge, sheriff, and witnesses; and dates, amounts, and purposes of fees charged, collected, and disbursed. Also contains Chancery Fee Book, 1837-81, entry 190. Arr. by date of case. Indexed alph. by names of plaintiff and defendant. 1837-72, hdw.; 1873--, hdw. under pr. hdgs. 430 - 560 p. 13 x 8 x 2 - 18 x 13 x 2.

190. CHANCERY FEE BOOK, 1882--. 6 v. (I, J, L, O, P, S). 1837-81 in Common Law (and Criminal) Fee Book, entry 189.

Record of fees charged, collected, and disbursed in chancery cases, showing date and number of case, names of plaintiff, defendant, judge, sheriff, witnesses, and clerk, and dates, amounts, and purposes of fees charged, collected, and disbursed. Arr. by date of case. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 504 p. 18 x 13 x 3.

Reports to Court (See also entry 172)

191. CORONER'S INQUESTS, 1840--. 4 f.b.

Reports of coroner's inquests, showing names of deceased, witnesses, jurors, and coroner, date, cause, and place of death, physician's and coroner's certification, list of personal effects, and dates of inquest and report. Arr. by date of report. No index. 1840-70, hdw.; 1871--, hdw. on pr. fm. 10½ x 4½ x 13.

192. STATE'S ATTORNEYS' REPORT RECORD, 1873-99.

1 v. 1900-- in Common Law Record, entry 163.

Record of state's attorney's reports of fee, fine, and forfeiture collections, showing inclusive dates of report, date and nature of case, amounts and fines, and forfeitures, names of judge, defendant, state's attorney, and treasurer, and date of filing. Arr. by date of report. No index. Hdw. on pr. fm. 320 p. 18 x 13 x 1½.

Jury Lists

193. REGISTER OF JURORS, 1873. 2 v. (A, B). Register of circuit court jurors, showing name of juror, term of service, mileage, amount of fees, and date of payment. Arr. by date of payment. No index. Hdw. on pr. fm. 300 - 320 p. 18 x 12 x 2 - 16 x 12 x 2½.

Probation
(See also entry 166)

194. (PROBATION OFFICER'S PAPERS), 1934--. 1 bdl. Documents of adult probation officer, including pleas and petitions for probation, and reports of investigation. Arr. by date of filing. No index. Typed. 15 x 6 x 5.

Naturalization

195. (NATURALIZATION FILES), 1837-97. 2 f.b. Documents in naturalization cases, including certificates of arrival, declarations of intention, petitions for final certificates, final certificates, and oaths. Arr. by date of document. No index. Hdw. on pr. fm. 10 x 4½ x 13.

196. NATURALIZATION RECORD FINAL, 1860-1906. 2 v. (A, B). Copies of petitions and final certificates of naturalization, showing names of alien and witnesses, dates of oath and entry into the United States, final oath of allegiance, court order of admittance to citizenship, acknowledgment, and signature of clerk. Also contains Naturalization Record Soldiers and Minors, 1893-1906, entry 198. Arr. by date of petition. Indexed alph. by name of alien. Hdw. on pr. fm. 570 p. 18 x 13 x 2.

197. NATURALIZATION RECORD INTENTIONS, 1859-1906. 3 v. (A, B, B). Copies of declarations of intention, showing dates of arrival and declaration, name, age, occupation, and nativity of alien, renunciation of allegiance to native country, and signature of alien. Arr. by date of filing. Indexed alph. by name of alien. Hdw. on pr. fm. 298 - 578 p. 18 x 13 x 1½ - 18 x 13 x 2½.

198. NATURALIZATION RECORD SOLDIERS AND MINORS, 1865-92. 1 v. 1893-1906 in Naturalization Record Final, entry 196. Copies of minors' and discharged soldiers' petitions, final oaths, and certificates of naturalization, showing term date, names of judge, clerk, and petitioner, dates of certificate of arrival, enlistment and discharge from United States Army, final oath of allegiance, oaths of witnesses, and order of court. Arr. by date of naturalization. Indexed alph. by name of alien. Hdw. on pr. fm. 574 p. 18 x 13 x 3.

199. NATURALIZATION DOCKET, 1871-94. 1 v.

Docket of petitions for naturalization, showing term date, names of petitioner and witnesses, dates of affidavits of petitioner and witnesses, and court orders. Arr. by date of petition. No index. Hdw. under pr. hds. 326 p. 16 x 11½ x 1½.

Office Transactions

200. WITNESS AFFIDAVITS, 1908--. 3 v.

Copies of witness affidavits, showing names of plaintiff, defendant, and witnesses, residence of witnesses, number of miles traveled and days of service, and amount due. Arr. by date of filing. No index. Hdw. on pr. fm. 200 p. 17 x 9½ x 1½.

201. PRAECIPE FOR EXECUTION, 1888-1922. 1 v.

Copies of requests for praecipies for execution, showing copies of praecipies with signatures of plaintiff, defendant, and attorney. Arr. by date of request. No index. Hdw. on pr. fm. 100 p. 14 x 8½ x 1½.

202. SUBPOENA, 1866-83. 2 v.

Record of request for subpoenas, showing term of court, names of plaintiff, defendant, clerk, witnesses, and attorney, and date of subpoena. Arr. by date of subpoena. No index. Hdw. on pr. fm. 100 p. 14 x 19 x ½.

VII. SHERIFF

The sheriff, by constitutional provision, has been an elected officer in Cass County from the organization of the county in 1837, to the present.¹ The term of his office, originally set at two years,² is now four years.³ In 1880 it was provided by constitutional amendment, that no person elected to the office of sheriff should be eligible for reelection to that office until four years after the expiration of his term of office.⁴ His bond in this county is required in the sum of \$10,000 and must be approved by the county judge.⁵ Memoranda of this bond are entered at large upon the records of the county court, and the bond is filed in the office of the county clerk.⁶ The compensation of the sheriff is fixed by the county board within the limits set by the constitution. In counties the size of Cass, with a population of 16,425, the compensation of the sheriff shall not exceed \$1,500 a year.⁷ One or more deputies are appointed by the sheriff in accordance with the number allowed by rule of the circuit court. Compensation of the deputies is determined by the county board.⁸ The sheriff is warden of the county jail and has custody and regulation of the same and of all prisoners.⁹ To assist him in this administration, he appoints a superintendent of the county jail for whose conduct he is responsible, and whom he may remove at pleasure.¹⁰

Essentially, without change, for over one hundred years, the principal duties of the sheriff are the following:

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1. Const. 1818, Art. III, sec. 11; Const. 1848, Art. VII, sec. 7; Const. 1870, Art. X, sec. 8; second amendment November 22, 1880, to the Const. 1870, Art. X, sec. 8; also L. 1819, p. 109, 110; R.S. 1874, p. 989.
 2. Const. 1818, Art. III, sec. 11; Const. 1848, Art. VII, sec. 7.
 3. Const. 1870, Art. X, sec. 8.
 4. *Ibid.*, as amended November, 1880.
 5. R.S. 1874, p. 989. Cf. R.L. 1827, p. 371. Prior to the organization of the county court, the sheriff's bond and securities were approved by the circuit court.
 6. R.S. 1845, p. 514; R.S. 1874, p. 989.
 7. Const. 1870, Art. X, sec. 10.
 8. R.L. 1827, p. 373; R.S. 1845, p. 515; L. 1869, p. 399; Const. 1870, Art. X, sec. 9.
 9. L. 1819, p. 111, 112; R.L. 1827, p. 247-50; L. 1831, p. 103, 104, 106; R.L. 1833, p. 574, 575; L. 1845, p. 8, 10, 19; R.S. 1845, p. 133, 134, 515-17; R.S. 1874, p. 616, 989-91; L. 1901, p. 137, 138; L. 1923, p. 423-26. The citations also include references to duties not included in the general outline noted above.
 10. L. 1923, p. 423.

1. To act as conservator of the peace, with power to arrest offenders on view.¹¹
2. To attend in person or by deputy, all courts of record (city, county, probate, circuit, and appellate courts) in his county, and to obey the orders and directions of the courts.¹²
3. To serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.¹³
4. To sell real or personal property by virtue of execution or other process.¹⁴
5. To send fingerprints of criminals to the State Bureau of Criminal Identification and Investigation.¹⁵

* In the course of the sheriff's many detailed duties included in these broad provisions, the following records may be kept but do not appear in Cass County:

1. Receipts of deliveries of prisoners in changes of venue.¹⁶
2. Copies of reports to the county court and circuit court.¹⁷
3. Reports of pawnbrokers on loans and articles pawned.¹⁸
4. Data of identification of criminals and stolen property.¹⁹

The following records may be kept and do appear:

1. Register of prisoners.²⁰
2. "Book of Accounts," including records of fees and disbursements.²¹
3. Docket of executions.
4. Process docket.

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11. R.L. 1827, p. 372; R.S. 1845, p. 515; R.S. 1874, p. 990.
 12. Ibid.
 13. Ibid.
 14. R.L. 1827, p. 334; L. 1838-39, p. 14-18, 20; R.S. 1845, p. 302, 306, 307; L. 1871-72, p. 505-7; R.S. 1874, p. 622, 623, 627-29.
 15. L. 1931, p. 465.
 16. R.S. 1874, p. 1096.
 17. Ibid., p. 617; L. 1923, p. 424; L. 1933, p. 679.
 18. L. 1909, p. 301.
 19. L. 1931, p. 465.
 20. R.S. 1874, p. 617; L. 1923, p. 424.
 21. L. 1871-72, p. 450-451; L. 1873-74, p. 104, 105.

Process

203. EXECUTION DOCKET, 1883--. 3 v. (1, 2, E).

Missing: 1898-1901.

Docket of executions, showing case number, names of plaintiff, defendant, and court, type of action, amount of judgment, dates of judgment and issue and return of execution; also includes amounts of sheriff's fees charged and collected for service of executions, 1935--. Arr. by date of execution. No index. Hdw. on pr. fm. 320 p. 14 x 8 x 1. V. 1, 1883-97, strm., bsmt.; v. 2, E, 1902--, sh.'s off., 1st fl.

For prior records of fees, see entry 206.

204. PROCESS DOCKET, 1887--. 7 v. (A, D, F-I, H).

Missing: 1889-1906, 1913-20.

Docket of process, showing case number, names of plaintiff, defendant, court, and process server, and dates of issue and service; also includes amount of sheriff's fees for service of process, 1935--. Arr. by date of issue. No index. Hdw. on pr. fm. 400 p. 16 x 12 x 2. V. A, D, F, G, 1887-1912, strm., bsmt.; v. H, I, H, 1913--, sh.'s off., 1st fl.

For records of prior process service fees, see entry 206.

Jail Records

205. REGISTER OF PRISONERS, 1872--. 2 v. (1, 1 not labeled). Title varies: Jail Record, v. I, 1872-1933.

Register of prisoners in county jail, showing name of prisoner, nature of charge, financial and personal statistics, date and period of commitment, and date and nature of discharge. Arr. by date of commitment. No index. Hdw. under pr. hdgs. 210 p. 17 x 15 x 1/2. Sh.'s off., 1st fl.

Fees

206. SHERIFF'S SERVICE REGISTER, 1874-1934. 7 v. (2 not labeled; D, E, 1-3). Missing: 1885, 1886. Title varies: Receipts of Expenditures, 1 v., 1874-77; Sheriff's Register of Fees, 3 v., 1878-1926.

Register of receipts and expenditures of sheriff's fees, showing date, amount, and purpose of receipt or expenditure, name of recipient or payer, total amount of receipt or expenditure, and balance on hand. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 300-400 p., 14 x 9½ x 1½. 2 v. not labeled, v. D, 1874-94, strm., bsmt.; v. E, 1-3, 1895-1934, sh.'s off., 1st fl.

For subsequent records of sheriff's execution fees, see entry 203; for subsequent records of sheriff's fees on service of process, see entry 204.

Miscellaneous Papers

207. (SHERIFF'S MISCELLANEOUS FILES), 1875--.
7 f.b.

Miscellaneous documents filed in sheriff's office including:

- i. Accounts and affidavit of maintenance costs of prisoners filed by jailer, 1906, showing name of prisoner, dates of commitment and discharge, daily and total amounts of maintenance costs, and signature of jailer.
- ii. Agreements of conditional sale and promissory note of auto sales, 1929, showing name and description of auto, dates and amounts of sale, down payment, and monthly payments, and names of vendor and purchaser.
- iii. Appointments of deputies, 1927--, showing name of deputy, date and order of appointment, oath, and date of filing.
- iv. Bonds, attachment, bail, capias, indemnification, recognizance, and replevin, 1876-1937, showing purpose, date, amount, and obligations of bonds, names of principal, sureties, and sheriff, and date of filing.
- v. Certificates of final settlement for taxes, 1903-5, showing names of city, auditor of public accounts, county, and collector, and date of settlement.
- vi. Certificates of levy, sale, and redemption, sheriff's, 1875-1928, showing legal description of property, names of owner, plaintiff, and purchaser, dates and amounts of levy, sale or redemption, and dates of filing and recording.
- vii. Certificates of publication, 1902-26, showing date and number of certificate, description of advertised property, cost of publication, and printer's notice.
- viii. Citations, 1926, showing names of plaintiff and defendant, nature of charge, and dates of filing and appearance.
- ix. Complaints, 1907-30, showing names of plaintiff, defendant, and sheriff, nature of complaint, kind of writ issued, and date of filing.
- x. Fee bills, 1883-1926, showing names of plaintiff and defendant, nature of charge, amounts of fees and costs, and date of filing.
- xi. Information instruments, 1929, 1930, showing names of court, county defendant, and state's attorney, nature of charge, and dates of commission of crime and filing.
- xii. Lists of lands delinquent in drainage and paving assessment payments, 1920-24, showing name of owner, legal description of property, amounts of annual benefits, assessed valuation, installments, and interest and costs, and date of assessment.

- xiii. Lists of motor vehicles found, seized, or stolen, 1929, showing names and addresses of owner and person finding or seizing car, description of car, and date of finding, seizure, or theft.
- xiv. Lists of poultry dealers' licenses, 1927, showing date and number of license, and name and address of dealer.
- xv. Notices of foreclosures on mortgages, 1905-24, showing notice of filing of petition to appoint receiver, names of complainant, defendant, and attorneys, date and number of notice, description of property, date of sale, and amount of taxes.
- xvi. Notice of petition at equity to quiet title, 1895, showing names of plaintiff and defendant, dates of court term, and default, amount of claim, and description of property.
- xvii. Notice of mortgage sale of chattel property, 1926, showing names of mortgagor and mortgagee, description of property, terms of mortgage, and date of sale.
- xviii. Notices of sheriff's sale, 1902-29, showing names of plaintiff and defendant, description of property, dates of filing and sale, and sheriff's signature.
- xix. Notice of withdrawal of bondsmen, 1900, showing dates of bond and court term, names of bondsmen, and notice to apprehend principal.
- xx. Orders of county clerk authorizing collector to receive delinquent taxes, 1876-86, showing date of order, nature and amount of delinquent tax, tax spread, and names of payer, collector, and clerk.
- xxi. Orders for discharge of prisoners, 1887-1914, showing name and number of prisoner, dates of conviction and order, nature of charge, and signatures of governor, sheriff, and justice of peace.
- xxii. Orders for temporary injunction, 1925, showing kind of action, case number, names of defendant, referee in bankruptcy, and court, and date of filing.
- xxiii. Receipts for county orders, 1906, showing date, amount, number, and purpose of order, and names of recipient and bank holding order.
- xxiv. Receipts for taxes, 1900, showing date of payment, name of owner and legal description of property, and amount of tax.
- xxv. Schedules filed by debtors, 1877-1935, showing itemized list and value of real and personal property, appraiser's valuation, oath, and certification, amount of debt, and list of articles selected by auditor.
- xxvi. Statements of accounts of county collector to county clerk, 1903-5, showing names of collector and county, date and total amount of tax, itemized list of kinds and amounts

and total of tax to be accounted for, and number of district from which due, itemized and total amounts accounted for by credit for errors in real estate assessments, back taxes, insolvencies, removals on personal property, forfeitures, payments to township treasurer, county clerk's commission, and previous payments by collector, signature of collector, and certification of county clerk.

- xxvii. Subpoenas, 1890-1934, showing name and address of person subpoenaed, names of plaintiff, defendant, and clerk, and dates of subpoena and filing.
- xxviii. Summonses, 1886-- , showing names of plaintiff, defendant, attorney, court, and county, date, number and nature of summons, and amount of damages.
- xxix. True bills, 1901-31, showing date of filing, names of grand jury foreman, witnesses, and defendant, nature of indictment and crime, and date of court term.
- xxx. Waivers of extradition, 1930-- , showing names of plaintiff, defendant, witnesses, and sheriff, and date of filing.
- xxxi. Warrants, 1887-- , showing nature and purpose of warrant, names of plaintiff, defendant, and issuing and serving officer, and dates of issue and service.
- xxxii. Writs of attachment, capias pro fine, commitment, criminal capias, execution, habeas corpus, injunction, mittimus, replevin, restitution, and supersedeas, 1876-- , showing kind and purpose of writ, names of plaintiff, defendant, attorneys, and issuing and serving officer, and date of filing.

No obvious arr. No index. Hdw., typed and hdw., and typed on pr. fm. 10 1/2 x 5 x 16. Sh.'s off., 1st fl.

VIII. CORONER

The coroner's office in Cass County has continued in existence from the organization of the county in 1837, to the present.¹ The coroner is elected by the county electorate for a four-year term.² After certification of his election by the county clerk, filing of his bond, and taking oath of office, he receives his commission from the Governor.³ The coroner's bond in this county is required in the sum of \$5,000 and must be approved by the county judge.⁴ The inquest duties of this official have changed little over a period of more than a century. The coroner acts as a conservator of the peace with powers equal to those of sheriff in this respect and serves as a ministerial officer of the courts in the absence or disqualification of the sheriff; he also performs all the duties of the latter when the office is vacant.⁵

The most important function of the coroner is to hold inquests over the bodies of persons supposed to have come to their death by violence, casualty, or other undue means. When notification of such death is received, the coroner proceeds to the body, takes charge of it, and summons a jury composed of six men from the vicinity in which the body was found. The jury is instructed to assemble at a stated time and place, to view the body and to inquire into the cause and manner of the death. If the inquest is continued and a vacancy should occur on the jury, the coroner is allowed to fill such vacancy.⁶

To the custody of the clerk of the circuit court are returned the verdict of the jury, and such recognizance as may be given the coroner by witnesses whose testimony implicates any person as the unlawful slayer of the deceased.⁷ In his office, the coroner files and preserves the record of such testimony.⁸ The coroner also keeps

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1. Const. 1818, Art. III, sec. 11; L. 1849, Second Sess., p. 7; Const. 1870, Art. X, sec. 8.
 2. The office is constitutional and elective (Const. 1818, Art. III, sec. 11; Const. 1870, Art. X, sec. 8). The term, formerly two years, is now four years (second amendment, November 22, 1880, to Const. 1870, Art. X, sec. 8).
 3. R.S. 1845, p. 514; R.S. 1874, p. 281.
 4. Ibid., p. 281.
 5. L. 1819, p. 111,160; L. 1821, p. 20-23; L. 1825, p. 63,64; R.L. 1827, p. 246-50,372-75; R.S. 1845, p. 515,517; R.S. 1874, p. 281,282.
 6. L. 1821, p. 22-24; R.S. 1845, p. 517,518; R.S. 1874, p. 282-84; L. 1879, p. 82; L. 1907, p. 213; L. 1919, p. 403,404; L. 1931, p. 388,389.
 7. L. 1821, p. 24,25; R.S. 1845, p. 518; R.S. 1874, p. 283.
 8. L. 1869, p. 104,105; R.L. 1874, p. 283; L. 1907, p. 213,214; L. 1919, p. 293,294.

one record which he originates, the "inquest record." This record recapitulates all the data involved in the entire inquest procedure and includes an inventory and accounting of the personal property and money of the deceased.

Deputy coroners appointed by this official assist him in the performance of the duties of his office. The number of deputies is set by rule of the circuit court, and their compensation is determined by the county board of supervisors. The bond or securities of these assistants are taken by the coroner and the oath to which each subscribes is filed in the county clerk's office.⁹

For other coroner's records, see entries 66 (x11), 191.

208. CORONER'S RECORD, 1885--. 3 v. (1 not labeled, C, D). Missing: 1903-27.

Record of proceedings of coroner's inquests, showing name of deceased, date, place, and cause of death, names of jurors, witnesses, and coroner, verdict of jury, description of deceased, inventory and disposition of personal effects, and date of inquest. Arr. by date of inquest. 1885-1902, no index; 1928--, indexed alph. by name of deceased. 1885-1902, hdw.; 1928--, hdw. on pr. fm. 156 - 580 p. 18 x 11 1/2 x 1 - 18 x 13 x 2. 1 v. not labeled, 1885-1902, co. clk.'s off., 1st fl.; v. C, D, 1928--, cor.'s off., 312 West 8th St., Beardstown, Illinois.

9. Const. 1870, Art. X, sec. 9; L. 1881, p. 63.

IX. STATE'S ATTORNEY

In Cass County, since its organization in 1837, the state's attorney has commenced and prosecuted in courts of record all actions in which the people of the state or county were concerned.¹ This officer was appointed by the Governor until 1835, when he became an appointee of the General Assembly.² This latter provision remained effective until 1848, when the state's attorney became an elective officer of the circuit district electorate.³ At this time his services also were expanded to include the newly created county court. Finally, the present constitution made the office elective in and for each county.⁴ Bond in the sum of \$5,000 has been required since 1872.⁵ From the creation of this office in the state until the present, the state's attorney has continued to receive his commission from the Governor for the tenure of his office.⁶ In 1827 his appointment was set at a four-year term;⁷ in 1835 his term was reduced to two years.⁸ Then, by provisions of the Constitution of 1848,⁹ the state's attorney's office became elective by the district electorate for a four-year term, the first term, however, being only for three years and ending in 1852. In Cass County the state's attorney receives an annual salary of \$2,000 with an additional \$400 paid by the state. Statutory fee rates are allowed him for convictions on specified offenses and crimes before justices of the peace, police magistrates, county and circuit courts. Also, rates are established for preliminary examinations of defendants, for attendance at trials, and for appeals. These several fees and rates make up a county fund from which is paid his salary.¹⁰

The duties of the state's attorney are the following:

1. To commence and prosecute all actions, suits, indictments, and prosecutions, civil or criminal, in any court of record in his county in which the people of the state or county may be concerned.

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1. R.L. 1827, p. 79,80; L. 1835, p. 44; R.S. 1845, p. 76; R.S. 1874, p. 173,174.
 2. L. 1835, p. 44.
 3. Const. 1848, Art. V, sec. 21.
 4. Const. 1870, Art. VI, sec. 22; R.S. 1874, p. 172.
 5. L. 1871-72, p. 189.
 6. R.L. 1833, p. 98; L. 1835, p. 44; Const. 1848, Art. V, sec. 28; Const. 1870, Art. VI, sec. 22; R.S. 1874, p. 172.
 7. R.L. 1827, p. 79,80.
 8. L. 1835, p. 44.
 9. Art. V, sec. 21; effective in 1849.
 10. L. 1871-72, p. 422; L. 1873-74, p. 104,105; L. 1909, p. 231-33; L. 1929, p. 474-76; L. 1937, p. 607.

2. To prosecute all forfeited bonds and recognizances and all actions and proceedings for the recovery of debts, revenues, moneys, fines, penalties, and forfeitures accruing to the state or his county, or to any school district in his county; also to prosecute all suits in his county against railroads or transportation companies, which may be prosecuted in the name of the people of the State of Illinois.
3. To commence and prosecute all actions and proceedings brought up by any county officer in his official capacity.
4. To defend all actions and proceedings brought against his county or against any county or state officer, in his official capacity, in his county.
5. To attend the examination of all persons brought before any judge on habeas corpus when the prosecution is in his county.
6. To attend before justices of the peace and prosecute charges of felony or misdemeanor for which the offender is required to be recognized and to appear before a court of record when it is within his power to do so.
7. To give his opinion without fee or reward, to any county officer or justice of the peace in his county upon any question of law relating to any criminal or other matter in which the people of the state or county may be concerned.
8. To assist the Attorney General whenever it may be necessary, and in cases of appeal or writ of error from his county to the Supreme Court, to which it is the duty of the Attorney General to attend, he shall, a reasonable time before the trial of such appeal or writ of error, furnish the Attorney General with a brief, showing the nature of the case and the questions involved.
9. To pay all moneys received by him in trust, without delay, to the officer who by law is entitled to their custody.
10. To perform such other and further duties as may from time to time be enjoined upon him by law.

11. To appear in all proceedings by collectors of taxes against delinquent taxpayers for judgment to sell real estate, and to see that all the necessary preliminary steps have been legally taken to make the judgment legal and binding.¹¹
12. To enforce the collection of all fines, forfeitures, and penalties imposed or incurred in the courts of record in his county; and to report to the circuit court on the collection of these moneys.¹²

For record of reports of state's attorney to circuit court, see entry 192.

209. STATE'S ATTORNEY DOCKET, 1933--. 2 v. (1 not labeled, 2).

State's attorney's docket showing term date, number and type of case, names of defendant, attorney, and witnesses, and notations of proceedings and court orders. Arr. by term date. Indexed alph. by name of defendant. Hdw. on pr. fm. 400 p. 11 1/2 x 10 1/2 x 2. State's atty.'s off., 2nd fl.

11. R.S. 1845, p. 76; R. S. 1874, p. 172-74.

12. L. 1909, p. 405; L. 1911-12, p. 89; L. 1929, p. 475.

X. SUPERVISOR OF ASSESSMENTS

The county supervisor of assessments, with the aid of the township assessors is responsible in Cass County, for the assessment of property upon which the township, district, county, state, and other taxes are levied. Principally, these officers annually revise the assessment of property, correct the same upon complaint, and quadrennially assess real and personal property.¹ Many statutory provisions have regulated this function in Cass County. Early laws fixed the value of the several categories of real and personal property, leaving to the assessing officer only limited discretion.²

Property assessments in Cass County were first made by the county treasurer, an appointee of the county commissioners' court.³ The treasurer continued to act in this capacity until 1839, when the legislature provided for the appointment by the county commissioners' court of district assessors.⁴ The duty of property assessment reverted to the county treasurer again in 1844⁵ and continued to be vested in that office until 1924 when township organization was instituted in this county,⁶ and assessments were made by township assessors, elected one in each township annually.⁷

Between 1849 and 1924, the assessing officers in Cass County received their assessment lists from, and reported assessments to, the county clerk.⁸ Since the institution of township organization in Cass County in 1924, the county treasurer has been, ex officio, supervisor of assessments,⁹ and the township assessors have worked under his direction and reported assessment of property to him in this capacity.¹⁰ Every assessor is bonded in the sum of \$500. Bond for the supervisor of assessments is \$2,000 or such larger sum as the county

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1. L. 1871-72, p. 20-22; L. 1879, p. 243; L. 1881, p. 134; L. 1891, p. 187; L. 1898, p. 37,40,44; L. 1903, p. 295,296; L. 1923, p. 491,492,504,505; L. 1927, p. 713,714; L. 1928, Third Sp. Sess., p. 106; L. 1931-32, First Sp. Sess., p. 66.
 2. L. 1819, p. 313-19; L. 1825, p. 173; L. 1839, p. 4-6; L. 1840, p. 4; L. 1845, p. 6.
 3. R.L. 1827, p. 330.
 4. L. 1839, p. 4.
 5. L. 1843, p. 231,237; effective in 1844.
 6. Cass County adopted township organization in 1923, but the change did not become effective until 1924.
 7. L. 1851, p. 38,54-57; L. 1853, p. 14,15; L. 1855, p. 35,37; L. 1871-72, p. 20-24.
 8. L. 1849, p. 121,128; L. 1849, Second Sess., p. 38; L. 1853, p. 14,17,47,49,50; L. 1871-72, p. 19,20,22,23.
 9. L. 1898, p. 36,37.
 10. L. 1898, p. 36,37,44; L. 1931-32, First Sp. Sess. p. 66,70.

board may determine.¹¹

For other taxation records, see entries 2, 22-37, 66 (1, 1x, xiii-xviii, xx-xxii), 67 (xvii, xxiv, xxvi), 83, 105, 111, 112, 207 (v, xii, xx, xxiv, xxvi), 212-220, 232, 255-257.

210. CORRECTED LIST OF LANDS, 1924-25. 1 v. 1853-1923, 1926-- in Assessor's Books, entry 22. Lists of lands on which valuations, descriptions, and ownerships have been corrected, showing name of owner and legal description of property, number of improved and unimproved acres, and value per acre. Arr. by twp., sec., and range nos. No index. Hdw. under pr. hdgs. 320 p. 18 x 13 x 1 1/2. Co. clk.'s off., 1st fl.

211. GUIDE BOOK, 1852-84. 15 v. Missing: 1853-66, 1873-79. Title varies: Field Book for Assessors of Real Estate, 6 v., 1880-84. Assessors' lists of taxable real estate for determining property valuations, showing numbers of range and township, name of owner, legal description of real estate, value per acre, total value, and assessors' remarks. Arr. by twp., sec., and range nos. No index. Hdw. 150 p. 16 x 10 x 1/2. Strm., bsmt.

11. L. 1898, p. 38,39; L. 1923, p. 493,494; L. 1927, p. 743,744.

XI. BOARD OF REVIEW

The authority to assess, equalize and review or revise the assessment of property, an important aspect of the revenue procedure, is exercised by the board of review.¹ Early legislation provided for appeals from assessments to the county commissioners' court. The court was empowered to review and revise assessments on real and personal property.² In 1849, when the county court succeeded the county commissioners' court in Cass County appeals were made to that body.³ This provision remained effective until 1873 when the board of county commissioners became the administrative body and heard all appeals.⁴ The board of county commissioners in their annual meeting examined the assessment rolls in the several districts to ascertain whether the valuation in one district bore just relation to the valuations in all other districts in the county, and were empowered to increase or diminish the aggregate valuation of real estate in any district accordingly. They could make whatever alterations they deemed necessary in the description of the lands of nonresidents, and were required to assess the value of any lands omitted by the assessor.⁵ In 1873 the duties of the board of county commissioners with regard to assessments were the following:

1. To assess omitted property.
2. To review assessments upon complaint.
3. To hear and determine the application of any person assessed on property claimed to be exempt from taxation.
4. To ascertain whether the valuation in one town or district bore just relation to the valuation in all towns or districts in the county and adjust the assessment.⁶

In 1898 the board of county commissioners became, ex officio, the board of review.⁷ However, since the institution of township organization in 1924 the board

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1. L. 1898, p. 46-49; L. 1915, p. 566-70; L. 1919, p. 727; L. 1923, p. 496-502; L. 1930, First Sp. Sess., p. 85-90; L. 1931-32, First Sp. Sess., p. 71, 75-78; L. 1935, p. 1163-66.
 2. L. 1839, p. 7; L. 1843, p. 237; L. 1845, p. 8; R.S. 1845, p. 441.
 3. L. 1849, p. 65.
 4. L. 1873-74, p. 79.
 5. L. 1851, p. 57, 58; L. 1871-72, p. 24, 25.
 6. Ibid., p. 24, 25. In Cass County the county court performed all the duties set forth in the act of 1872 until the institution of the county commission form of government in 1873 (L. 1871-72, p. 69; L. 1873-74, p. 79, 80).
 7. L. 1898, p. 46.

has consisted of the chairman of the county board as chairman ex officio of the board of review, and two citizens appointed by the county judge. The members of the board select their own clerk. The two citizen members are appointed alternately for a two year term.⁸

Today, the board of review in Cass County is required to assess taxable property omitted from the regular assessment, to review and correct assessments on property claimed to be incorrectly assessed to increase or reduce the entire assessment if, in their opinion, it has not been made upon the proper basis, and to hear and determine the application of any person assessed on property claimed to be exempt from taxation, which application if successful must be approved by the tax commission to be final. If such application is not approved the owner may have the question of exemption determined by judgment or decree of court, and the board of review may correct any error or mistake (other than an error of judgment as to valuation), with the approval of the assessing authority, any time before judgment of the court.⁹

For other taxation records, see entries 2, 22-37, 66 (1, ix, xiii-xviii, xx-xxii), 67 (xviii, xxiv, xxvi), 83, 105, 111, 112, 207 (v, xii, xx, xxiv, xxvi), 210, 211, 214-220, 232, 255-257.

212. BOARD OF REVIEW DOCKET, 1899--. 3 v. (1-3).
Title varies: Complaint Docket, v. 1, 2,
1899-1936.

Docket of tax complaints filed with board of review, showing name of owner, assessed valuation, and legal description of property, amount of assessment, nature of complaint, findings of board, disposition of case, and date of filing. Also contains Board of Review Minute Book Cass County, 1899-1936, entry 213. Arr. by date of filing. 1899-1922, indexed alph. by name of complainant; 1923--, no index. Hdw. under pr. hdgs. 180 - 208 p. 17 1/2 x 16 1/2 x 1 1/2 - 18 x 13 x 2. Co. clk.'s off., 1st fl.

213. BOARD OF REVIEW MINUTE BOOK CASS COUNTY, 1937--.
1 v. 1899-1936 in Board of Review Docket,
entry 212.

Record of proceedings of board of review, showing date and purpose of meeting, roll of members, notations of actions and orders, and signature of chairman. Arr. by date of meeting. No index. Hdw. on pr. fm. 440 p. 18 x 16 x 2. Co. clk.'s off., 1st fl.

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8. L. 1923, p. 496,497; L. 1931-32, First Sp. Sess., p. 71,72.
9. L. 1898, p. 46-49; L. 1915, p. 566-70; L. 1919, p. 727; L. 1923, p. 496-502; L. 1930, First Sp. Sess., p. 85-90; L. 1931-32, First Sp. Sess., p. 70,71, 75-78; L. 1935, p. 1163-66; L. 1939, p. 929,930.

XII. COLLECTOR

Tax collections in Cass County were first made by the sheriff acting ex officio as county collector.¹ With the exception of the period from 1839 to 1844, when there existed a separate office of county collector filled by appointment by the county commissioners' court,² the sheriff continued to act in this capacity until 1924; in that year township organization was instituted in the county,³ and tax collections became the responsibility of the county treasurer acting ex officio as county⁴ and town collector.⁵

By the terms of an act in 1853, the county clerk was required to deliver the tax books to the county collector, who upon the settlement of his accounts was to return them to the county clerk.⁶ This provision was changed in 1872 by an act of the General Assembly which provided that the county collector should make an annual sworn statement to the county clerk, showing the total amount of each kind of tax collected, the amount received from each district collector, and the amount collected by himself.⁷

The county collector is bonded in an amount determined by the county board in addition to the bond required of him as county treasurer.⁸ Under statutory provisions, he collects taxes for the state, county, and other governmental agencies, and pays to the proper authorities the amount in his hands payable to them.⁹ He also settles annually with the county board.¹⁰ He prepares an annual list of delinquent property and files it with the county clerk,¹¹ advertises his intention of applying for judgment for sale of delinquent

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1. R.L. 1827, p. 370,374.
 2. L. 1838-39, p. 7.
 3. L. 1843, p. 234; L. 1871-72, p. 36. Cass County adopted township organization in 1923 but the change did not become effective until 1924.
 4. L. 1871-72, p. 36.
 5. L. 1917, p. 793. This provision effected counties with fewer than 100,000 inhabitants. The population of Cass County was 17,896 in 1920; and 16,537 in 1930 (Population Bulletin, p. 8). According to the 1940 preliminary census the population is 16,410.
 6. L. 1853, p. 100,105.
 7. L. 1871-72, p. 56,57; L. 1873-74, p. 56; L. 1930, First Sp. Sess., p. 66,67; L. 1931, p. 756; L. 1931-32, First Sp. Sess., p. 112; L. 1933, p. 873,921; L. 1933-34, Third Sp. Sess., p. 220; L. 1935, p. 1156,1213; L. 1935-36, Fourth Sp. Sess., p. 69,70.
 8. L. 1871-72, p. 36; L. 1931, p. 748; L. 1931-32, First Sp. Sess., p. 85,86; L. 1933-34, Third Sp. Sess., p. 225,226.
 9. L. 1871-72, p. 56-59; L. 1933, p. 922; L. 1935, p. 1156,1213; L. 1935-36, Fourth Sp. Sess., p. 68,69.
 10. L. 1871-72, p. 55; L. 1935, p. 115,1156.
 11. L. 1898, p. 51; L. 1931, p. 759.

lands and lots,¹² and is required to attend, in person or by deputy, all tax sales resulting from this action.¹³ The county clerk, in person or by deputy, is also required to attend all tax sales.¹⁴ At such sales, the clerk and collector note and make entry of all tax sales and forfeitures to the state.¹⁵

The county collector is required to keep his records as collector of taxes separate from his records as county treasurer.¹⁶ The records of the collector's office include duplicates of receipts issued to taxpayers, state auditor's and county clerk's certifications of the collector's settlements with them, duplicates of the collector's reports, delinquent property records, and tax sale and forfeiture records.

For other taxation records, see entries 2, 22-37, 66 (1, 1x, x111-xviii, xx-xxii), 67 (xvii, xxiv, xxvi), 83, 105, 111, 112, 207 (v, xii, xx, xxiv, xxvi), 210-213, 232, 255-257.

Collection, Settlement

214. ACCOUNT OF COLLECTIONS, 1887--. 5 v. (1-5). Record of county collector's account of settlement with county treasurer, showing names of collector and treasurer; amount of taxes charged, collected, and delinquent; tax spread, collector's commission, clerk's fee, and date of final settlement. Arr. by date of assessment. Indexed alph. by title of account. Hdw. on pr. fm. 598 p. 18 x 13 x 12 1/2. V. 1-4, 1887-1924, treas.'s vlt., 1st fl.; v. 5, 1925--, treas.'s off., 1st fl.

215. DAY BOOK, 1915-18. 1 v. County collector's account of daily tax collections, showing date and amount of payment, and name of payer. Arr. by date of payment. No index. Hdw. under pr. hdgs. 400 p. 16 x 10 x 2. Sh.'s off., 1st fl.

216. LEDGER (County Collector), 1915-23. 2 v. Missing: 1919-22. Lists of deputy collectors and banks in which each deposits tax collections, showing names of collector and depository, dates and amounts of collections and deposits, and balance uncollected. Arr. by date of collection. No index. Hdw. under pr. hdgs. 500 p. 16 x 12 x 2. Sh.'s off., 1st fl.

217. COUNTY CASH BOOK, 1919-22. 1 v. (1). Collector's account of tax collections, showing date of payment, names of village or city and payer, and total amount collected. Arr. by date of payment. No index. Hdw. under pr. hdgs. 237 p. 18 x 13 1/2 x 2. Treas.'s off., 1st fl.

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12. L. 1871-72, p. 44; L. 1937, p. 1010.
13. L. 1871-72, p. 48; L. 1930, First Sp. Sess., p. 64.
14. L. 1871-72, p. 48.
15. Ibid.; L. 1933, p. 886.
16. L. 1917, p. 664, 665; L. 1930, First Sp. Sess., p. 60-62; L. 1935, p. 1149-58.

Delinquent Tax, Abatement

218. TAX FORFEITURE RECORD, 1922--. 2 v. (1-2).

Lists of lands forfeited for unpaid taxes, showing name of owner, legal description of real estate, tax spread, amounts of delinquency, costs, and interest, and total amount due county. Arr. by date of forfeiture. No index. Hdw. under pr. hdgs. 161 p. 18 x 12 x 1. Treas.'s off., 1st fl.

219. DELINQUENT DRAINAGE TAX, 1925--. 2 v.

Lists of tax delinquent lands in drainage districts, showing names of drainage district and land owner, legal description and acreage of property, numbers and amounts of delinquent installments, amounts of assessment, credits, back taxes, and collection and printer's fees, total amount due, date and amount of payment, and name of payer. Arr. by date of assessment. No index. Hdw. under pr. hdgs. 306 p. 17 x 15 x 1 1/2. Treas.'s off., 1st fl.

220. PERSONAL PROPERTY ABATEMENT LIST, 1930--.
1 v. (2).

Lists of abated personal property taxes, showing name of owner, description and value of property, valuation as fixed by state board, road and school district numbers, tax spread, and amount of abatement. Arr. by date of assessment. No index. Hdw. under pr. hdgs. 642 p. 18 x 13 x 2. Treas.'s off., 1st fl.

XIII. TREASURER

The treasurer has been an elective official in Cass County since its organization in 1837.¹ He is commissioned by the Governor for a four-year term.² In 1880, by amendment to the Constitution of 1870, it was provided that no treasurer be eligible for re-election to the office until four years after the expiration of his term of office.³ The penal sum of the treasurer's bond and his securities are determined by the county board.⁴ Upon request of the treasurer, the board designates the bank in which the public funds are to be deposited.

In the performance of his duties, the treasurer receives the revenue of the county, has custody of its funds, and disburses them in accordance with orders of the county board or specific authorization by law. He is required to keep books of accounts of all funds received and disbursed by him, to maintain a register of county orders countersigned and paid, to report annually to the county board on the financial transactions of his office, and to settle his accounts with the board semiannually.⁵ The last two requirements give rise to a number of segregated records of accounts beyond strict statutory requirements. In addition, reports are made to the treasurer by other county, district, public, and semipublic authorities in the process of transacting business with him, and, finally, a large number of records arise from the requirement for collectors of taxes to settle their accounts with the treasurer.⁶

The treasurer acts *ex officio* as treasurer of the special drainage district.⁷

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1. L. 1837, p. 49; L. 1845, p. 28; R.S. 1845, p. 137; L. 1851, p. 144; Const. 1870, Art. X, sec. 8. From 1827 to 1837, the county treasurer was appointed by the county commissioners' court (R.L. 1827, p. 329, 330; R.L. 1833, p. 515, 516).
 2. The term was set at four years in 1837 (L. 1837, p. 49); it was later reduced to two years (L. 1845, p. 28; L. 1851, p. 144). The office was made constitutional in 1870 without change of term (Const. 1870, Art. X, sec. 8). Then in 1880, the term was lengthened to four years (Const. 1870, Art. X, sec. 8, as amended November 1880).
 3. Art. X, sec. 8, as amended November 1880.
 4. R.L. 1827, p. 329; R.S. 1874, p. 323. The bond is required to be filed in the office of the county clerk.
 5. L. 1837, p. 191, 192; L. 1843, p. 151; R.S. 1845, p. 137-39; L. 1861, p. 239, 240; R.S. 1874, p. 323, 324.
 6. R.L. 1827, p. 330-33; L. 1839, p. 8-10; L. 1845, p. 11; L. 1895, p. 304; L. 1913, p. 516; L. 1933, p. 898.
 7. L. 1885, p. 78, 104.

General Accounts

Ledgers

221. COUNTY TREASURER'S LEDGER, 1847--. 7 v.
Accounts of county funds, showing name of fund, date, amount, and purpose of receipt of disbursements, total amount of receipts or disbursements, balance available, name of recipient or payer, and recapitulation of accounts. Also contains (Institute Fund Record), 1903--, entry 225. Arr. by date of transaction. 1847-1922, no index; 1923--, indexed by name of funds. 1847-73, 1923--, hdw.; 1874-1922, hdw. under pr. hdgs. 400 - 472 p. 14 1/2 x 14 1/2 x 2 - 14 1/2 x 9 1/2 x 2. 1 v., 1847-73, strm., bsmt.; 4 v., 1847-1922, treas.'s vlt., 1st fl.; 2 v., 1923--, treas.'s off., 1st fl.

222. COUNTY TREASURER'S RECORD OF CASH ACCOUNTS, 1930--. 2 v. (1 not labeled, 2).
Record of county treasurer's account with various banks, showing names of bank and taxpayers, and date and amount of tax payment deposited to county's account by taxpayer. Arr. by date of payment. Indexed by name of bank. Hdw. 400 p. 14 x 10 x 2. Treas.'s off., 1st fl.

County Orders

223. TREASURER'S VOUCHER RECORD, 1907--. 3 v. (1-3).
Register of vouchers issued against all county funds, showing date, amount, number, and purpose of voucher, names of recipient, fund, and treasurer, and date of cancellation. Arr. by voucher no. No index. Hdw. under pr. hdgs. 496 p. 19 x 13 1/2 x 2. V. 1, 2, 1907-31, treas.'s vlt., 1st fl.; v. 3, 1932--, treas.'s off., 1st fl.

224. RECORD OF CANCELLED COUNTY WARRANTS (Register), 1927--. 2 v. (1, 2).
Register of cancelled county warrants, showing date, number, and amount of warrant, names of payer and recipient, and date of cancellation. Arr. by warrant no. No index. Hdw. under pr. hdgs. 500 p. 8 x 13 1/2 x 3. V. 1, 1927-36, treas.'s vlt., 1st fl.; v. 2, 1937--, treas.'s off., 1st fl.

Special School Accounts

225. (INSTITUTE FUND RECORD), 1884-1902. 1 v.
1903-- in County Treasurer's Ledger, entry 221.
Record of receipts and expenditures of institute funds, showing balance brought forward, date, amount, and purpose of receipt or disbursement, name of payee or recipient, date, amount, and number of order, total amount of receipts and expenditures, and balance available. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 320 p. 14 x 9 1/2 x 1. Strm., bsmt.

XIV. SUPERINTENDENT OF SCHOOLS

The first county school official in Cass County was the county school commissioner.¹ The principal duties of this officer, an appointee of the county commissioners' court, centered around the sale of school lands. His reports of these sales were made to the county commissioners' court and recorded by its clerk in a well-bound book kept for that purpose.² The school commissioner also reported to the county commissioners' court on his other transactions in regard to the school fund.³ His office became elective in 1841.⁴ In 1845 the county school commissioner became, ex officio, superintendent of schools.⁵ For his duties, ex officio, as superintendent of schools, the commissioner received additional compensation for the days actually engaged in the performance of these duties.⁶ Beginning with the year 1847,⁷ the school commissioner was elected for a two-year term. In 1865 the office of county superintendent of schools was established as an independent office, and had delegated to it the authority formerly vested in the county school commissioner.⁸

The superintendent of schools is now elected for a term of four years.⁹ Before entering upon his duties he must take and subscribe to an oath and execute a bond in the penal sum of not less than \$12,000 to be approved by the county board or by the judge and clerk of the county court.¹⁰ The superintendent's office serves as the central school administrative agency for the county. One or more of the several congressional townships comprise the several school districts. Within these administrative units are elected boards of trustees who have executive and financial responsibilities which come under the supervision of the county superintendent.¹¹ The boards of trustees appoint their own treasurers who also act as clerks of the township (or school district) boards.¹²

The superintendent makes quarterly and annual reports to the county board and also reports to the State Superintendent of Public Instruction, the State Department of Public Health, the state fire marshal, and the

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1. R.L. 1829, p. 150,151.
 2. *Ibid.*, p. 152,153.
 3. L. 1831, p. 175.
 4. L. 1841, p. 261,262.
 5. L. 1845, p. 54.
 6. L. 1849, p. 178.
 7. L. 1847, p. 120; L. 1849, p. 154.
 8. L. 1865, p. 112; L. 1871-72, p. 702; L. 1880, p. 312; L. 1909, p. 343.
 9. L. 1871-72, p. 702; L. 1909, p. 543; L. 1915, p. 628; L. 1923, p. 596.
 10. L. 1909, p. 345.
 11. L. 1847, p. 126; L. 1909, p. 350; L. 1929, p. 745.
 12. L. 1927, p. 843; L. 1929, p. 740.

state architect. His original duties are the following:

1. To sell township fund lands and issue certificates of purchase.
2. To examine the complete accounts of every township treasurer in his county and report irregularities to the township trustees.
3. To conduct a teachers' institute, hold quarterly examinations for teachers' certificates, and issue such.
4. To hold examinations for normal and university scholarships.
5. To visit the public schools in the county, observe methods of instruction, make recommendations to teachers, and advise school officers; to observe sanitary and safety conditions, and notify trustees and state authorities of unsatisfactory conditions; to inspect plans and specifications, and approve those meeting state regulations.¹³

A noteworthy undertaking of the superintendent of schools is the annual teachers' institute. Pioneer legislation of 1869 provided that the school directors were to allow school teachers to attend the teachers' institute in their county without the loss of time or pay.¹⁴ Twenty years later, the superintendent of schools was required to hold the institute annually.¹⁵ A fund was set up for this purpose which has continued to be made up of the fees received from applicants for teachers' certificates and from teachers' registration. Money from the fund is paid out only on the order of the superintendent to defray the expenses of the annual institute. When the fund exceeds the annual cost of the institute, the excess may be paid out for special meetings of teachers.¹⁶

The superintendent of schools keeps all of his records in his office on the second floor.

Accounts of School Funds

226. JOURNAL (County Superintendent's Financial Accounts), 1873--. 2 v.

Journal of superintendent's financial accounts, showing

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13. R.S. 1845, p. 498,499; L. 1847, p. 122; L. 1849, p. 156; L. 1853, p. 246,247; L. 1855, p. 66,67; L. 1861, p. 190,191; L. 1865, p. 119,120; L. 1909, p. 347-50; L. 1915, p. 630-38.
 14. L. 1869, p. 394.
 15. L. 1889, p. 312.
 16. L. 1905, p. 395; L. 1931, p. 876.

dates and amounts of receipts for and expenditures from distributive fund, amount of interest payment of state fund, amounts of interest received on notes, mortgages, and fines, amounts received for school fund and visiting fees, and amounts expended for institute and office expenses and attorneys' fees; also includes list of loans from school fund. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 576 p. 13 x 8 1/2 x 2.

227. (TOWNSHIP TREASURERS' RECEIPTS AND EXPENDITURES BY DISTRICTS), 1914--. 1 v.

Township treasurers' financial accounts, showing amounts of itemized receipts and expenditures, district, township, and range numbers, and balance on hand. Arr. by district no. No index. Typed under typed hdgs. 80 p. 11 x 9 x 1/2.

228. DISTRIBUTIVE FUND AND INSTITUTE FUND, 1926--. 1 v.

Accounts of institute and distributive funds, showing date, amount, and purpose of receipt or expenditure, name of payer or recipient, total amounts of receipts and expenditures, and amount paid to county treasurer. Arr. by date of transaction. No index. Hdw. 288 p. 9 1/2 x 8 x 1/2.

229. CASH BOOK, 1882-1923. 1 v.

Accounts of receipts and disbursements of school funds, showing name of fund, date, amount, and purpose of receipt or disbursement, name of payer or recipient, and amounts of total receipts, disbursements, and balance. Arr. by date of transaction. No index. Hdw. on pr. fm. 120 p. 14 x 9 x 1/2.

School Lands

230. RECORD OF PROPERTY DEEDED FOR SCHOOL PURPOSES (Transcript), 1844--. 1 v.

Record of deeds to school property, showing number of district, name of school, legal description of property, name of grantor, and transcript of deed. Arr. by district no. No index. Hdw. on pr. fm. 200 p. 17 x 12 x 1 1/2.

231. CASH (Sale of School Lands), 1907--. 1 v.

Record of sales of school lands, showing petition, affidavit, certificate of valuation, number of school block, plat of school district, dates of petition and affidavit, legal description of real estate, name of buyer, and amount of sale. Arr. by date of entry. No index. Hdw. 208 p. 14 x 9 1/2 x 1.

School Districts

232. NON-HIGH SCHOOL DISTRICT REPORT, 1917--. 1 v.

Record of proceedings of meetings of the non-high school district board, showing names of school district, members of board, and tuition-paying pupils, amounts of tax levies, financial accounts of district, and date of

meeting. Arr. by date of meeting. No index. Hdw.
250 p. 16 x 11 x 1.

233. RECORD OF SCHOOL DISTRICT CONSOLIDATION,
1920--. 1 v. Last entry 1919.

Record of school district consolidations, showing date of consolidation, and numbers of separate school districts and consolidated district. No obvious arr. No index. Hdw. on pr. fm. 50 p. 11 x 9 x 1/2.

234. DISTRICT CLAIMS FOR STATE AID, 1923--. 1 v.

Record of claims of school districts for state-aid funds, showing number of school district, financial statements of district, general information, names of teachers, and budget accounts. Arr. by district no. No index. Hdw. on pr. fm. 150 p. 11 x 9 x 1/2.

Teachers' Records

235. TEACHERS' PERMANENT RECORD CARDS, 1914--.
1 f.b.

Permanent record cards showing name, address, age, salary, and number of years of teaching experience of teachers, kind and number of certificate, schools attended, subjects and grades taught, dates and amounts of contributions to teachers' pension fund, and whether elective or compulsory. Also contains Register of Fees Received for Examinations, 1915--, entry 239. Arr. alph. by name of teacher. No index. Hdw. and typed under pr. hdgs.

236. TEACHERS' PERMANENT RECORDS BY DISTRICTS,
1856--. 1 v.

Permanent record of teachers, showing name, annual and monthly salaries, and teaching experience, name and number of school district, length of school term, and date of registration. Arr. by school district no. Indexed alph. by name of teacher. Hdw. under pr. hdgs. 300 p. 11 1/2 x 9 x 2.

237. TEACHERS' PERMANENT RECORD, 1914-24. 2 v.

Permanent record of teachers, showing name, age, address, teaching experience, and salary of teacher, grade and number of certificate, schools attended, subject and grade taught, amount contributed to teachers' pension and retirement fund, and date of registration. Arr. by date of registration. 1914-19, indexed alph. by name of teacher; for sep. index, see entry 238. Hdw. under pr. hdgs. 395 p. 16 x 10 x 1 1/2.

238. INDEX TO TEACHERS' PERMANENT RECORD, 1914-24.
1 v.

Index to Teachers' Permanent Record, entry 237, showing name and address of teacher, and book and page of entry. Arr. alph. by name of teacher. Hdw. under pr. hdgs. 200 p. 14 1/2 x 10 x 1.

239. REGISTER OF FEES RECEIVED FOR EXAMINATIONS,
1884-1914. 1 v. Missing: 1895-98. 1915--
in Teachers' Permanent Record Cards, entry
235.

Register of fees received by county superintendent of

schools for teachers' examinations and registrations, showing dates of examination and registration, name and sex of teacher, date of payment, and amount of fee. Arr. by date of payment. No index. Hdw. under pr. hdgs. 318 p. 14 x 9 1/2 x 1 1/2.

Pupil Records

240. RECORD OF RURAL EIGHTH-GRADE GRADUATES, 1899--. 4 v.

Lists of eighth-grade graduates of county schools, showing names of pupil, teacher, township, and school, date, subjects, and place of examination, district number, age and address of pupil, grade earned, general average, notation, of granting or refusal of diploma, and signature of county superintendent of schools. 1899-1916, arr. by date of entry; 1917-28, arr. by district no.; 1929--, arr. alph. by name of graduate. 1899-1916, 1924--, no index; 1917-23, indexed alph. by name of graduate. Hdw. under pr. hdgs. 198 p. 14 x 9 x 1.

Reports

241. TRUSTEES' ANNUAL REPORT, 1844--. 13 envelopes. School trustees' annual reports showing names of school, trustees, and teachers, school census, district number, number of students in each school, qualifications of teachers, amounts of income from taxes and other sources, amount of expenditures, and date of report. Arr. by date of report. No index. Hdw. on pr. fm. 14 3/4 x 9 3/4 x 1/4.

242. REPORT OF TEACHERS' EXAMINATIONS, 1914. 1 f.b. Reports of Illinois State Teachers' Examining Board to county superintendent of schools on results of teachers' examinations, showing name, age, and address of applicant, date, place, subjects, and grades of examination, and kind of certificate issued. Arr. by date of examination. No index. Hdw. on pr. fm. 15 x 7 x 8.

243. ANNUAL REPORT OF COUNTY SUPERINTENDENT OF SCHOOLS, 1859--. 8 v.

Annual reports of county superintendent of schools, showing school census; enrollments; names, positions, and qualifications of teachers; promotion of health and attendance; amount of tax levies; annual salaries of elementary and high school teachers; amounts of district, distributive, and township funds, receipts and expenditures, and tuition payments; exhibits; investments; general and financial reports; number of one-room schools; and memoranda. Arr. by date of report. No index. Hdw. under pr. hdgs. 300 p. 16 x 11 x 2.

244. RATING SCALE SUMMARY, 1937--. 1 v.

Record of school ratings reported by superintendent in point rating system, showing district number, name of school, date of visit, and number of points allowed for condition of physical and instructional equipment, teachers, pupils, administration of program, and special merit. Arr. by date of visit. No index. Hdw. on typed fm. 80 p. 11 x 9 x 1.

School Officers

245. RECORD OF SCHOOL TRUSTEES ELECTED, 1937--.
1 v.

Lists of school trustees, showing name and address of trustees, length of term, township and range numbers, and date of election. Arr. by date of election. No index. Hdw. under pr. hdgs. 50 p. 11 x 9 x 1/2.

246. TOWNSHIP TREASURERS ELECTED, 1838--. 1 v.

List of township school treasurers, showing year of election, name and address of treasurer, township and range numbers, and amount of bond. Arr. by twp. and range nos. No index. Typed under pr. hdgs. 80 p. 11 x 9 x 1/2.

247. SCHOOL COMMISSIONERS AND SUPERINTENDENTS LIST,
1845--. 2 pages.

List of school officers, showing names of commissioners and superintendents, type of office, and length of term. Arr. by date of term. No index. Typed. 8 1/2 x 14.

Correspondence

248. MISCELLANEOUS CORRESPONDENCE, 1837--. 40 f.b.

Miscellaneous correspondence to and from the superintendent of schools, pertaining to reports of fines, school election returns, and personal letters to school officers. No obvious arr. No index. Hdw., and hdw. on pr. fm. 5 x 5 x 10.

XV. SUPERINTENDENT OF HIGHWAYS

From 1837 to 1849 the county commissioners' court exercised jurisdiction over roads and bridges in Cass County.¹ The court was empowered to locate new roads, to alter or vacate old roads, to divide the county into road districts, and to appoint a supervisor in each district.² The construction and maintenance of roads were effected by means of a labor tax levied on all able-bodied men between the ages of eighteen and fifty;³ however in 1841 it was changed to twenty-one to fifty.⁴ It was the supervisor's duty to summon these men for work when road labor was needed.⁵

From 1849 to 1873 the county court in Cass County had control and supervision of public roads and bridges.⁶ The substitution of this administrative body for the old county commissioners' court effected no material changes in the earlier set up. The system of road districts was retained and the work of superintending road construction and maintenance continued to be vested in district supervisors until 1872. In that year the county board was authorized to appoint three commissioners of highways⁷ for each road district to serve until 1873 when an election of new officers was to be held. These commissioners of highways, who replaced the district supervisors, were in direct charge of the care and maintenance of roads when a new type of county board provided for by the Constitution of 1870⁸ assumed office in 1873. This new board consisted of three county commissioners and the first board was elected November 4, 1873. It had been given the same power of supervision of highways, roads and bridges as had been exercised by the county court,⁹ but the commissioners of highways had the power to enter into contracts and to sue and be sued in their own name.¹⁰ They were required to establish new roads and to repair, alter or vacate old roads and bridges; to collect all fines and commutation money; to assess and collect poll tax; and to render to the county board an annual account of collections and disbursements.¹¹ This system of road control and maintenance continued in Cass County until 1913; in that year the office of superintendent of highways was first established.¹² The boards of highway

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1. L. 1819, p. 175; R.L. 1827, p. 340; L. 1841, p. 233.
 2. L. 1819, p. 333; L. 1825, p. 130; R.L. 1827, p. 340, 344; L. 1841, p. 233.
 3. L. 1819, p. 334; R.L. 1827, p. 341, 342.
 4. L. 1841, p. 237.
 5. L. 1819, p. 334; R.L. 1827, p. 341, 342; L. 1841, p. 238; L. 1847, p. 112.
 6. L. 1849, p. 65; L. 1851, p. 179.
 7. L. 1871-72, p. 679, 680.
 8. Art. X, sec. 6.
 9. L. 1873-74, p. 79.
 10. L. 1871-72, p. 680.
 11. L. 1871-72, p. 681-83.
 12. L. 1913, p. 524.

commissioners which existed prior to that date have continued to function, but their powers are principally subordinated to those of the superintendent of highways.¹³ The latter change of county government in Cass did not affect the supervision of roads and bridges.¹⁴

The superintendent is appointed by the county board. The board submits a list of three to five candidates to the State Department of Public Works and Buildings, which department examines the candidates to determine the person best fitted for the office.¹⁵ The successful candidate holds office for six years and is remunerated in a sum fixed by the county board.

The powers and duties of the superintendent of highways come under the rules and regulations of the Department of Public Works and Buildings. However, the superintendent is subject, upon hearing, to removal by the county board. The superintendent exercises supervision over township, county, and state-aid roads and bridges, and culverts in his county and is required to perform such other duties as may be prescribed by the chief highway engineer of the state.¹⁶

His principal duties are as follows:

1. To prepare plans, specifications, and estimates for all bridges to be built by the county.
2. To supervise the construction and maintenance of county roads and bridges, and state-aid roads.
3. To inspect the highways and bridges in each town or district of his county at least once a year.
4. To advise and direct the highway commissioners in each town or district as to the best methods of repair, maintenance, and improvement of highways and bridges.
5. To approve any purchase in excess of \$200 for materials, machinery, or apparatus to be used in road construction in any town or district.¹⁷

13. L. 1933, p. 961, 962.

14. Cass County adopted township organization in 1923, but the change did not become effective until 1924.

15. L. 1921, p. 781; L. 1933, p. 961. From 1913 to 1917 the list was submitted to the State Highway Commission (L. 1913, p. 524). In 1917 this state agency was abolished, and its rights, powers, and duties were vested in the Department of Public Works and Buildings created in the same year (L. 1917, p. 4, 16, 24).

16. L. 1921, p. 782; L. 1933, p. 961.

17. L. 1913, p. 523-26.

He is required to keep the following records:

1. Records of contracts, purchases, and expenditures authorized by himself, the county board, or township commissioners.
2. Maps, plats, blueprints, specifications, etc., arising from his supervision of roads and bridges, or the planning of new construction.
3. Accounts of the funds handled by his office.
4. Reports from other officers or bodies touching upon the affairs of his office; copies of his own reports on the administration of his office; related papers.¹⁸

Commissioners' Records

249. COUNTY SUPERINTENDENT OF HIGHWAYS, 1874--.
2 v. (1 not labeled 1). Missing: 1888-1912;
1923-35. Title varies: Highway Commissioners' Account, 1 v., 1874-87.

Record of proceedings of the board of highway commissioners and the superintendent of highways, including minutes of meetings, copies of contracts, petitions, surveys, reports of road district treasurers, franchises, resolutions, and accounts of highway funds. No obvious arr. Indexed alph. by subject. Hdw. under pr. hdgs.; hdw., and typed. 100 - 150 p. 14 x 9 x 1 - 18 x 12 1/2 x 2. Strm., bsmt.

Allotments and Claims

250. ALLOTMENT RECORD, 1931--. 1 v.

Ledger of motor fuel tax allotments, showing dates and amounts of request by county board and allotment by state; date, amount, purpose, and claim or receipt number of receipt or disbursement; itemized amounts and purposes of engineering and maintenance expenditures; and route, section, engineering and maintenance patrol, and purchase order numbers. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 100 p. 12 1/2 x 10 x 1. Off. of supt. of hwys., 2nd fl.

251. CLAIM REGISTER, 1932--. 1 v.

Register of highway fund claims, showing name of fund, name and address of claimant; date, number, and amount of claim; purchase order or requisition number; nature of service; route and construction patrol or maintenance section numbers; date, amount, and number of payment warrant; and amounts of proration among construction, maintenance, labor, and equipment costs; includes register of cancelled highway warrants. Arr. by date of

18. Ibid., p. 525.

transaction. No index. Hdw. under pr. hdgs. 125 p.
17 1/2 x 11 1/2 x 1 1/2. Off. of supt. of hwys., 2nd
fl.

Construction and Maintenance Records

252. LEDGER, 1931--. 1 v.

Journal of accounts of day labor and construction costs
of roads and bridges, showing amount and purpose of dis-
bursement, date and number of warrant, and amounts and
sources of accounts receivable. Arr. by date of trans-
action. No index. Hdw. 188 p. 12 x 7 1/2 x 1/2. Off.
of supt. of hwys., 2nd fl.

Plats

253. CASS COUNTY FIELD BOOK, 1930--. 15 v. (1-15).

Road surveyor's field book showing plats of new and old
roads, names of landowners, original surveys, transit
lines, cross sections, and date of survey. Arr. by date
of survey. No index. Hdw. and hand-drawn. 100 p. 8 x
5 x 1/2. Off. of supt. of hwys., 2nd fl.

XVI. SURVEYOR

The office of surveyor was established in Illinois in 1821; the incumbent was an appointee of the General Assembly.¹ During the recess of the legislature, nominations were made by the county commissioners' court to the Governor.² From 1835 to 1936, the county surveyor was an elected officer of the county electorate.³ Since September 1936, he has been an appointee of the county board. His appointment is for a four-year term. He takes and subscribes to an oath which is filed in the county clerk's office.⁴

The surveyor is required by law to make all surveys within the bounds of his county that he may be called upon to make by the county board or interested persons. Such surveys include surveys of lands of persons requesting the same, of additions or subdivisions, and marking of county lines. Few changes have been made in the original statutory requirements for the duties of this office. The surveyor may appoint one or more deputies. Any individual requesting a survey must employ his own chainmen subject to the approval of the surveyor.

The surveyor is required by law to keep a well-bound book in which to record all surveys made by him, giving such information as the names of the persons whose land is surveyed and descriptive data of the survey. This record is required to be kept by the surveyor in the recorder's office. The surveyor also preserves his field notes and retains copies of plats.⁵

For other surveyor's records, see entries 5, 6, 79, 103, 253.

254. PLATS AND FIELD NOTES, 1829--. 2 v. Last entry 1900.

Plat book and field notes of Cass County surveys, showing townships, sections, ranges, school districts, roads, cities, villages, parks, and institutions, and routes of Sangamon and Illinois rivers. Arr. by twp., sec., and range nos. No index. Hdw. and hand-drawn. 275 p. 18 x 15 x 1 1/2 - 21 x 11 x 1 1/2. Cir. clk.'s vlt., 1st fl.

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1. L. 1821, p. 62; R.L. 1829, p. 172; R.L. 1833, p. 591.
 2. Ibid.
 3. L. 1835, p. 166; L. 1837, p. 558; R.S. 1845, p. 523; R.S. 1874, p. 456, 1050; L. 1903, p. 349.
 4. L. 1933, p. 1104; effective in 1936.
 5. L. 1821, p. 63, 64; R.L. 1829, p. 173; R.L. 1833, p. 591-93, 599, 600; L. 1845, p. 201; R.S. 1845, p. 524; R.S. 1874, p. 1050; L. 1895, p. 248; L. 1915, p. 575; L. 1933, p. 1104.

XVII. DRAINAGE COMMISSIONERS

For the purpose of aiding in public welfare and health, the present constitution has delegated to the General Assembly broad power to provide laws in regard to drainage.¹ By statutory provision these activities are exercised by drainage commissioners in districts of Cass County. The corporate authorities of the drainage districts have power to acquire rights of way, issue bonds, construct and maintain drains, ditches and levees for agricultural, sanitary, or mining purposes, and assess the benefited property.²

Drainage districts may be organized by landowners upon petition to the county court. When the court finds in favor of the petitioners, it then enters an order to that effect and appoints three commissioners to examine and survey the proposed lands. The commissioners, when they have completed their assignment, make a final report to the court with recommendations and copies of surveys, maps, plats, and estimates.³ The districts are of three kinds: regular, which is composed of property lying in a single town; union, where the lands organized lie in two towns; special, with three or more towns involved.⁴

After the report on a proposed district has been made, the court completes the organization of the district.⁵ The corporate powers of regular and union districts are vested in three commissioners appointed by town clerks. The corporate authority in special drainage districts is vested in three elected commissioners of the district.⁶ In regular districts the commissioners appoint one of their number to act as secretary. The town clerk in union districts acts as the clerk of the district.⁷ The county clerk and county treasurer in case of a special drainage district are, respectively, clerk⁸ and treasurer,⁹ ex officio, of such district. Three kinds of districts, regular, union, and special, are maintained in Cass County.

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1. Const. 1870, Art. IV, sec. 31.
 2. First amendment to the constitution, ratified November 29, 1878, incorporated in the Const. 1870, Art. IV, sec. 31; L. 1879, p. 124-39.
 3. L. 1871-72, p. 356-58; R.S. 1874, p. 429; L. 1875, p. 76,77; L. 1879, p. 120,124,155; L. 1885, p. 78, 93,95,110-15; L. 1907, p. 275; L. 1913, p. 261.
 4. L. 1879, p. 155; L. 1885, p. 93,94,113. River districts, though not in this category, may be organized similarly and with like powers (L. 1885, p. 106).
 5. See footnote 3.
 6. L. 1879, p. 156; L. 1885, p. 93,95,113.
 7. L. 1915, p. 390. The town clerk shall be clerk of the union drainage district when the major portion lies in his town.
 8. L. 1885, p. 95; L. 1915, p. 390; L. 1919, p. 468.
 9. L. 1885, p. 104.

The following records belong to the drainage commissioners:

1. Records of bonds issued.
2. Assessment books.
3. Petitions of owners of land to stay assessments, orders of commissioners thereupon, and other proceedings.
4. State auditor's certificate of interest due on bonds.
5. Tax lists showing pro-rata share of levy for bond interest (union and special districts only).
6. Copies of reports to county court on conditions of district and estimated expenditures; and to county treasurer on delinquent lands; maps and plats, surveys, and estimates; office transactions.¹⁰

The first two records are required to be kept in separate books, the next three generally are known as the "Drainage Record," and the remaining records are kept desultorily.

For other records of drainage district proceedings, see entries 2, 67 (xxiv), 102, 105.

255. (DRAINAGE DISTRICT PAPERS), 1874-- . 20 f.b. Original documents of various drainage districts, including orders appointing commissioners; reports of commissioners; affidavits for publication; oaths and bond of commissioners; claims, jurors' oaths, verdicts and venires; objections to assessments; plats; certificates of election of commissioners; construction contracts; and notices of election. Arr. by date of filing. No index. 1874-1912, hdw.; 1913--, typed. 10 x 4 1/2 x 13 1/2. co. clk.'s off., 1st fl.

256. DRAINAGE RECORD, 1884-- . 19 v. (1, 1-3, 5-8, 10-19).

Record of proceedings of various drainage districts, showing names of commissioners, judge, and clerk, proceedings of court, and date of recording; includes petitions, appointments of commissioners, publication notices, assessments, and reports. Also contains Drainage Assessment Roll Record, 1884-1912, 1934--, entry 257. Arr. by date of proceedings. Indexed alph. by name of subject. 1884-1912, hdw.; 1913--, hdw. and typed. 500 p. 18 x 13 x 3. Co. clk.'s off., 1st fl.

10. L. 1879, p. 120-34; L. 1885, p. 78-104.

257. DRAINAGE ASSESSMENT ROLL RECORD, 1913-33.
1 v. (4). 1884-1912, 1934-- in Drainage
Record, entry 256.

Copies of drainage assessment rolls, showing date of assessment, legal description of property, name of owners, amount of levy, dates, numbers, and amount of installments, and remarks. Arr. by date of levy. Indexed alph. by name of drainage district. Hdw. under pr. hdgs.
396 p. 17 1/2 x 15 1/2 x 2. Co. clk.'s off., 1st fl.

XVIII. DEPARTMENT OF PUBLIC WELFARE

Matters relating to public assistance and welfare in the county are handled by the department of public welfare, which was established in 1937 as successor to the county commission of public welfare.¹ This department consists of the superintendent of public welfare and a staff selected by him in accordance with, and subject to, the approval of the State Department of Public Welfare.

The county board submits to the state department a list of five residents as candidates for the office of superintendent. An eligible list of these candidates is prepared by the state department by competitive examination and certified to the county board. The board in turn makes an order appointing one of the eligibles as superintendent of public welfare.²

The superintendent is charged with all the executive and administrative duties and responsibilities of the department of public welfare. He is subject to the rules and regulation of, and removal by, the state agency.³

This officer has power and it is his duty to:

1. Have charge of and develop plans for the administration of old age assistance.
2. Investigate and study problems of assistance, correction, and general welfare within his county.
3. Cooperate with the State Department of Public Welfare in the operation of welfare plans and policies in his county.
4. Maintain such records and file such reports with the State Department of Public Welfare as that department may require.
5. Serve as agent and executive officer of the State Department of Public Welfare in the administration of all forms of public assistance administered by that department.⁴

All the records of the county department are subject to the inspection and supervision of the agents of this central authority.

1. L. 1935-36, First Sp. Sess., p. 70-73; L. 1937, p. 451.

2. Ibid., p. 451,452.

3. Ibid., p. 452.

4. L. 1935-36, First Sp. Sess., p. 72; L. 1937, p. 452.

Federal legislation was enacted in 1935 to provide for the general welfare by establishing a system of Federal old age benefits. In order to participate in the benefits of this act,⁵ the several states were required to submit plans for old age assistance. Illinois passed legislation complying with this act the same year.⁶ Today, the Federal government pays to Illinois, one half of the sums expended on old age assistance.

The department of public welfare administers old age assistance and is subject to the rules and regulations of the state department.⁷ Upon receipt of an application the department makes an investigation of the case. In the course of the investigation the department is allowed to hold hearings and compel the attendance of witnesses and the production of papers and books.⁸

Old age assistance records and accounts are kept as prescribed by the state department. All applications and records in these matters are considered public records.⁹

All records of the department of public welfare are kept in the circuit court chambers on the second floor, which room is used as a file depository by the old age assistance office.

258. MASTER INDEX CARD FILE, 1936--. 2 f.b.
Card record of all old age assistance applications and case records, showing case number, name and address of applicant, and dates of application, approval or denial, and discharge. Arr. alph. by name of client. No index. Typed under pr. hdgs. 5 x 4 x 12.

259. APPROVED CASES, 1936--. 3 f.d.
Card record of active old age assistance cases, showing name, number, age, date and place of birth, marital and financial status, and length of residence in state of client, proof of citizenship, and date of filing of application; also includes report and recommendation of investigator, and approval by county authorities. Arr. alph. by name of client. No index. Hdw. and typed on pr. fm. 13 1/2 x 11 x 27.

260. LIST OF CHANGED AWARDS SUBMITTED, 1936--.
1 f.d.
Lists of clients with changed awards submitted to state office, showing date of filing, names of client, case number, and amount of new award. Arr. alph. by name of client. No index. Typed on pr. fm. 13 1/2 x 11 x 27.

5. 49 U.S. Stat. 620.

6. L. 1935, p. 260.

7. Ibid., p. 259-260; L. 1935-36, First Sp. Sess., p. 54,55; L. 1937, p. 265.

8. L. 1935-36, First Sp. Sess., p. 57-59; L. 1937, p. 267,268.

9. Ibid., p. 266,269.

261. PENDING CASES, 1936--. 2 f.d.

Files of pending old age assistance cases including investigator's report and recommendation, showing name, address, date and place of birth, age, marital status, citizenship of applicant, value of real and personal property, case history, names and addresses of children, and case number. Arr. alph. by name of applicant. No index. Hdw. and typed on pr. fm. 13 1/2 x 11 x 27.

262. STATISTICAL AND VISITOR CARDS, 1936--. 1 f.b.

Card record of case workers' visits and examinations of applicants, showing names of applicant and case worker, marital, financial, and occupational statistics of applicant, approval, reinstatement, or denial of case, amount of award, and dates of application, examination, award, and approval. No obvious arr. No index. Hdw. under pr. hdgs. 8 x 6 x 11.

263. CLOSED CASES, 1936--. 1 f.d.

Documents of closed old age assistance cases including investigator's report and recommendation, case history, copy of marriage license, proof of citizenship, authority to examine financial records, correspondence with children, reply from responsible child, and date of filing. Arr. alph. by name of client. No index. Hdw. and typed on pr. fm. 13 1/2 x 11 x 27.

264. CLOSED CASES, 1936--. 2 f.b.

Files of old age assistance cases closed by death of client, showing name, number, and case history, dates of filing and approval of original application, date and reason for cancellation of assistance, and amount of assistance awarded, and itemized account of funeral expenses; also includes report and recommendation of investigator. Arr. alph. by name of client. No index. Hdw. and typed on pr. fm. 13 1/2 x 11 x 27.

265. DECEASED RECIPIENTS HAVING PROPERTY, 1936--. 1 f.b.

Files of case records of deceased old age assistance property-owning clients, showing case number, name, address, sex, and date of death of deceased, legal description and valuation of property, amounts of delinquent taxes and personal property, date and amount of claim filed and collected, and date report sent to central office. Arr. alph. by name of deceased. No index. Typed on pr. fm. 6 x 8 x 11.

266. STATISTICAL REPORT, 1936--. 1 f.d.

Reports to State Department of Public Welfare on old age assistance statistics, showing number of men and women receiving pensions, number of cases disposed of, approved, ineligible, deceased, and withdrawn, and date of report. Arr. by date of report. No index. Typed. 11 x 13½ x 27.

267. PAY ROLL REPORT, 1936--. 1 f.d.

Pay roll reports including applications for leaves of absence, and office and travel expenses, showing certification and approval of voucher, itemized traveling expenses, and names of employees, and date of report. Arr.

by date of report. No index. Typed on pr. fm. 24 1/2
x 12 1/2 x 11.

268. CERTIFICATION LIST, 1937--. 1 f.d.

Lists of persons certified for receipt of surplus commodities, showing name of recipient, number of dependents, date of request for surplus commodities, and remarks. Arr. by date of request. No index. Typed.
13 1/2 x 11 x 27.

269. REGISTER SHEET, 1936--. 1 v.

Register of applications for old age assistance, showing date and number of application, name, address sex, and age of applicant. Arr. by date of application. No index. Hdw. under pr. hdgs. 125 p. 15 x 10 x 1.

XIX. COUNTY HOME

One phase of public assistance is administered by the county home. All county poorhouses, poor farms, and institutions for the support and care of indigents in Illinois are known as county homes.¹ County poorhouses and farms have existed in this state under statutory provisions for nearly a century. The legislation creating these county establishments for the indigent has changed little since the original enactments. The county boards of the various counties may establish a county home, and are granted the following powers:

1. To acquire by purchase, grant, gift, or devise, a suitable tract or tracts upon which to erect and maintain a county poorhouse and other necessary buildings, and for the establishment and maintenance of a farm for the employment of the poor.
2. To receive gifts and bequests to aid in the erection and maintenance of the poorhouse, or in the care of the indigents.
3. To make rules and regulations for the same.
4. To appoint a keeper of the poorhouse and all necessary agents and servants for the management and control of the poorhouse and farm, and to prescribe their compensation and duties.
5. To appoint a county physician and prescribe his compensation and duties.
6. To appoint an agent to have the general supervision and charge of all matters in relation to the care and support of the poor, and to prescribe his compensation and duties.
7. To make the necessary appropriations for the erection and maintenance of the county home.²

Records of the county home are prepared and kept by the keeper (superintendent) of the home. He is required to keep an account showing the name of each person admitted to the county poorhouse, the time of his admission and discharge, the place of his birth, and the cause of his dependency. He is also required, at the same time each year, to file with the county clerk of his county a copy of this record together with a statement

1. L. 1919, p. 699; L. 1935, p. 1058.
 2. L. 1839, p. 139, R.S. 1845, p. 404,405; L. 1861, p. 180; R.S. 1874, p. 757; L. 1917, p. 638,639; L. 1919, p. 698,699; L. 1935, p. 1057,1058.
 3. R.S. 1874, p. 758.

showing the average number of persons kept in the poor-house each month during the year.³

All of the records of the county home are kept in the caretaker's quarters on the first floor of the county home in Bluff Springs.

For reports of warden to county board, see entry 67 (1x).

270. ALMS HOUSE REGISTER, 1887--. 1 v. (A).

Register of inmates of county home, showing name, former address, age, sex, date and place of birth, and marital and financial status of inmate, cause of dependency, names of relatives, and dates of admission and discharge or death. No obvious arr. No index. Hdw. and hdw. under pr. hdgs. 350 p. 18 x 13 x 2.

271. (APPLICATIONS), 1924--. 1 v.

Copies of applications for county aid, showing name, address, sex, date and place of birth, citizenship, and organization membership of applicant, length of residence in county and township, cause of dependency, number and ages of family members, financial status of applicant and family, nature of prior aid, and signature of township supervisor. No obvious arr. No index. Hdw. on pr. fm. 350 p. 18 x 13 x 2.

XX. FARM BUREAU

Cass County Farm Bureau was organized on February 7, 1918 to promote and foster the social and economic interest of persons engaged in agriculture, and to encourage, promote, and foster cooperative organizations for the mutual benefit of its members. The membership of this bureau is made up of farmers of the county. A farm advisor is employed who cooperates with the University of Illinois College of Agriculture in its program of extension education and farm studies, and to work with farm leaders in establishing such organizations as 4-H clubs and Dairy Herd Improvement Associations.

In 1914, Congress inaugurated a program of agricultural extension education by providing for cooperation between the agricultural colleges in the several states and the United States Department of Agriculture.¹ The purpose of the act was to aid in diffusing useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same. An appropriation was made to each state to carry out the act, subject to the assent by the state legislature to the provisions of the act, and provided that the state appropriate a sum equal to that given by the Federal Government.² The General Assembly assented to this act by a joint resolution which authorized and empowered the trustees of the University of Illinois to receive the grants of money appropriated under the act, and to organize and conduct agricultural extension work in connection with the College of Agriculture of the University.³

The General Assembly appropriated money in 1917 for the payment of county agricultural advisers.⁴ The money was appropriated to the Department of Agriculture to be distributed equally among the several county agricultural advisers of the state to apply upon their salaries. The vouchers approved by the Department of Agriculture for payment were to be accompanied by the certificate of the agricultural college of the University of Illinois that the requirements of the act relative to the employment of county advisers had been substantially applied. In 1928, to further develop the cooperative extension system in agriculture and home economics, Congress appropriated additional sums of money, eighty per cent of which was to be utilized for the payment of salaries of extension agents in counties of the several states.⁵

Reports of the Farm Bureau are sent to the State and Federal Departments of Agriculture. All other records are kept by local 4-H clubs and other associations.

1. 38 U.S. Stat. 372.

2. *Ibid.*, 373.

3. L. 1913, Joint Resolutions, p. 732.

4. L. 1917, p. 85.

5. 45 U.S. Stat. 711.

XXI. HOME BUREAU

Cass County Home Bureau was organized on November 19, 1937, to carry on adult education on all home economics subjects. The home economics club may participate in the appropriation for the fund known as the "Agricultural Premium Fund," providing that such club conducts at least one show or exhibition of home economics project work and promptly pays in cash the premiums awarded. A home adviser is employed who cooperates with the University of Illinois College of Agriculture, the State Department of Agriculture, and the United States Department of Agriculture in their program of extension education and home economics studies.¹

In 1915 the General Assembly adopted a joint resolution accepting the provisions and requirements of an act of Congress,² passed the previous year; which act provided for cooperative extension work between the agricultural colleges in the several states receiving the benefits of appropriations under the Federal statute.³ This resolution granted the trustees of the University of Illinois permission to accept the grants of money, made available under the statute, to aid in providing helpful instruction on subjects relating to home economics and agriculture, and in payment of the salaries of extension agents.⁴

The General Assembly appropriated money in 1917 to the Department of Agriculture for the payment of county agricultural advisers.⁵ In order to further the cooperative extension system between the agricultural and home economics work, this appropriation was to be distributed equally among the several county agricultural advisers. The vouchers were to be accompanied by the certificate of the agricultural college of the University of Illinois that the requirement of the Federal act had been met. In 1928, Congress appropriated additional sums of money, eighty per cent of which was to be utilized for the payment of salaries of extension agents in counties of the several states.⁶

Reports of the Home Bureau are sent to the State and Federal Departments of Agriculture. All other records are kept by local 4-H clubs and other associations.

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1. L. 1929, p. 762; L. 1931, p. 889; L. 1933, p. 1085; L. 1935, p. 1414; L. 1937, p. 1162.
 2. L. 1915, Joint Resolution, p. 732.
 3. 38 U.S. Stat. 372.
 4. L. 1915, Joint Resolution, p. 732.
 5. L. 1917, p. 85.
 6. 45 U.S. Stat. 711.

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INVENTORY OF THE COUNTY ARCHIVES OF ILLI

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